

**EMPOWERING CIVIL SOCIETY FOR CHANGE:  
TOWARDS HUMAN RIGHTS-CENTERED & TRANSFORMATIONAL GOVERNANCE IN KENYA**

**2020 Annual Report**

**(01<sup>st</sup> January 2020 – 31<sup>st</sup> December 2020)**



**Project Summary:**

ATLAS Project: 00093740

EU Agreement Ref:  
FED/2017/387-491

EKN Agreement Ref: Activity  
28761

**Country: Kenya**  
**Project Duration: 2015-2022**  
**Project Budget: US\$22,845,672**  
**Annual Resources: US\$ 4,319,987**

| Donor        | Annual Resources US\$ |
|--------------|-----------------------|
| Netherlands  | USD 509,505           |
| EU           | USD 3,296,985         |
| UNDP         | USD 281,077           |
| <b>TOTAL</b> | <b>USD 4,087,566</b>  |

Cumulative expenditure USD: 3,062,061

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*EKN: Turkana Bio-Aloe Organization (TUBAE), Nubian Rights Forum (NRF), Federation of Deaf Women Empowerment Network (FEDWEN), Community Support for Development in Kisumu- CBO (CSD-Kisumu), Civil Society Reference Group (CSRG-PEN), Kenya Union of the Blind (KUB), Humanity Activism Knowledge and Integrity Africa (Haki Africa).*

*SPAIS: CRAWN Trust, Health NGOs Network (HENNET), Youth Agenda (YAA), Amnesty International, Emerging Leaders Foundation (ELF), HURIA, HAKI Africa, Transparency International.*

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## Acronyms

| Acronym       | Meaning   |
|---------------|---|
| ADR           | Alternative Dispute Resolution                          |
| AJS           | Alternative Justice System                              |
| AWP           | Annual Work Plan  |
| CBOs          | Community-Based Organizations                           |
| COVID-19      | Coronavirus Disease of 2019                             |
| CPD           | Country Project Document                                |
| CRECO         | Constitution and Reform Education Consortium            |
| CSD           | Community Support for Development                       |
| CSOs          | Civil Society Organizations                             |
| CSRG          | Civil Society Reference Group                           |
| DP            | Development Partners                                    |
| ECOSOC Rights | Economic and Socio-Cultural Rights                      |
| EKN           | Embassy of the Kingdom of the Netherlands               |
| ERP           | Enterprise Resource Planning                            |
| EU            | European Union  |
| FBOs          | Faith-Based Organizations                               |
| FEDWEN        | Federation of Deaf Women Empowerment                    |
| FGDs          | Focus Group Discussions                                 |
| HAKI Africa   | Humanity Activism Knowledge and Integrity in Africa     |
| HURIA         | Human Rights Agenda                                     |
| ICNL          | International Center for Not-for-Profit Law             |
| IPs           | Implementing Partners                                   |
| KELIN         | Kenya Legal & Ethical Issues Network                    |
| KICTANET      | Kenya Information and Communications Technology Network |
| KUB           | Kenya Union of the Blind                                |
| LVGAs         | Low Value Grant Agreements                              |
| M&E           | Monitoring and Evaluation                               |
| MOU           | Memorandum of Understanding                             |

|        |   |
|--------|---|
| NGOs   | Non-Governmental Organizations                  |
| NRF    | Nubian Rights Forum                             |
| NSAs   | Non-State Actors                                |
| PAC    | Project Approval Committee                      |
| PBO    | Public Benefits Organizations                   |
| PEN    | Poverty Eradication Network                     |
| PMU    | Project Management Committee                    |
| PRODOC | Project Document                                |
| PWDs   | Persons with Disabilities                       |
| SGBV   | Sexual and Gender Based Violence                |
| SRH    | Sexual Reproductive Health                      |
| TUBAE  | Turkana Bio Aloe Association                    |
| UNDAF  | United Nations Development Assistance Framework |
| UNDP   | United Nations Development Programme            |

## 1. EXECUTIVE SUMMARY

Amkeni WaKenya (hereinafter Amkeni) is a United Nations Development Programme (UNDP) project/facility that was established in 2008 to promote democratic governance through civil society strengthening in Kenya. The name “Amkeni WaKenya” draws inspiration from the second stanza of the National Anthem of the Republic of Kenya, which calls upon Kenyans to “arise” and actively participate in nation building. The facility is currently in phase two (2015-2022) of project implementation. Domiciled in UNDP-Kenya’s Governance and Inclusive Growth (GIG) Unit, the project provides technical and financial support to civil society organizations (CSOs) that promote human rights and democratic governance. The primary target groups are CSOs including Community-Based Organizations (CBOs), Faith-Based Organizations (FBOs), Non-Governmental Organizations (NGOs), Trusts, Research Institutions and Academia. The current strategic focus of Amkeni includes access to justice and realization of human rights; entrenching human rights-centered and accountable devolved governance; promoting an enabling environment for CSOs and; building capacity of CSOs to respond effectively to contemporary governance issues.

In 2020, Amkeni Wakenya implemented four projects, namely: access to justice project under the Programme for Legal Empowerment and Aid Delivery (PLEAD) supported by the European Union (EU); a human rights promotion project supported by the Embassy of the Kingdom of the Netherlands (EKN); Strengthening Public Accountability and Integrity Systems (SPAIS) Project supported by UNDP and; Sexual and Gender Based Violence (SGBV) interventions in the Frontier Counties supported by the Embassy of Norway. However, due to the wake of Covid-19 that led to restrictions on public gatherings, 45-100% of budgeted activities of grantees were adversely affected by COVID-related restrictions. This slowed down implementation as some activities were rescheduled or cancelled during covid-19 times. In addition, the cost of some activities increased due to special arrangements made to achieve results and boost delivery. CSOs were advised to realign resources under the affected activities and adopt use of digital means during project implementation. The approved budget for the year was **\$4,319,987** with **\$521,318** coming from the EKN and **\$3,698,669** from the EU. It should be noted that resources for both SPAIS and the SGBV projects were accounted for under respective UNDP project codes and therefore not included in Amkeni’s AWP. This report presents the progress made towards achieving results under the various strategic focus areas of Amkeni. The report integrates the reporting framework of the EU-funded PLEAD, consistent with the idea of basket funding and harmonization of UNDP’s reporting obligations with those of development partners.

During the reporting period, Amkeni continued to support 31 grantees to implement access to justice interventions under the PLEAD in 12 counties.<sup>1</sup> Largely, these CSOs designed and undertook interventions aimed at accelerating operationalization of the Legal Aid Act 2016, mainly through provision of legal aid and assistance and promoting alternative dispute resolution (ADR). Under EKN funding, Amkeni continued to support one (1) grantee originally selected through call 2 in 2018 to implement human rights interventions in Nairobi County alongside seven (7) grantees implemented

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<sup>1</sup> The PLEAD focus counties include Marsabit, Isiolo, Mandera, Wajir, Garissa, Tana River, Lamu, Mombasa, Nairobi, Kisumu, Nakuru and Kisumu. However, project activities in two counties- Tana River and Garissa were set to commence in 2020 after disbursement of project funds to new grantees selected in late 2019.

short-term grants to respond to strategic and emerging issues in Kenya in five (5) counties.<sup>2</sup> The SPAIS project supported eight (8) grantees to enhance public accountability in two (2) Counties.<sup>3</sup> With funding from the Embassy of Norway via UNDP's integrated devolution project, seven (7) existing PLEAD grantees were also supported to respond to Sexual and Gender Based Violence in seven (7) Frontier Counties.<sup>4</sup> Thus, Amkeni cumulatively supported 43 CSOs<sup>5</sup> to implement projects in 17 counties. Through learning platforms, capacity building workshops and provision of advisory services, Amkeni sought to strengthen the capacities of these CSOs to manage their respective interventions in compliance with UNDP requirements and for greater efficiency, effectiveness, sustainability, and impact.

Besides, Amkeni Wakenya continued supporting the CSO regulator in Kenya, the NGO Coordination Board towards implementation of a strategy of reengaging with civil society. In this venture, Amkeni Wakenya provided; technical assistance to the NGO Coordination Board to conduct a study on the transition from the NGO Board to the PBO Authority; technical support was also provided to the NGO Board in the designing and printing of a simplified version of the Board's Strategic Plan. Finally, the NGO Board was supported to develop Integrated Enterprise Resource Planning (ERP) solution that will fully digitize NGO Board Business process.

UNDP implemented COVID response interventions in the Frontier Counties Development Council (FCDC) region with support from the Royal Norwegian Embassy through the Joint Devolution Project. Amkeni was requested to manage the COVID response interventions aimed at safeguarding human rights and support survivors of gender-based violence access justice. Amkeni sought to support existing grantees in the FCDC region with additional resources to undertake the above interventions within their current operational areas and within the existing Low Value Grant Agreements (LVGAs). The Strengthening public accountability and integrity systems for accountable governance (SPAIS) project sought to contribute to efforts by the government and non-state actors aimed at corruption prevention to improve service delivery and inclusive governance.

### **Summary of Key Project Results Achieved in 2020**

Amkeni WaKenya contributes to United Nations Development Assistance Framework (UNDAF) Outcome 1 which aims to ensure that people in Kenya live in a secure, inclusive and cohesive society and UNDAF Output 2.4: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services. Overall, 10,343,643 individuals were reached with access to justice and human rights programming. Thus, the project reached over 60.2% of the total population in the target counties compared to the set target of 40% in the EKN and EU Project Documents (PRODOC).

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<sup>2</sup> These include Nairobi, Kisumu, Turkana, Machakos, Murang'a and Laikipia.

<sup>3</sup> Nairobi and Mombasa.

<sup>4</sup> Isiolo, Marsabit, Mandela, Tana River, Lamu, Garissa. Wajir

<sup>5</sup> One CSO, the Saku Accountability Forum received two grants separately to implement projects in Marsabit County hence the total of 43 CSOs.

## Project Outcome 1: Improved respect, enjoyment, and promotion of access to justice, human rights and freedoms for Kenyans.

Citizen awareness and engagement on human rights was enhanced using innovative CSO approaches reaching 2,251,319 (85,319 direct and 2,166,000 indirect) beneficiaries with sustained human rights education information in the six (6) EKN focus counties.<sup>6</sup> This represents 26.9% of the total population in the target counties. Citizens were engaged in initiatives aimed at enhancing social accountability as well as monitoring and responding to human rights violations related to COVID-19. This was done through training and deploying monitors to identify and refer for action cases of violations. Amkeni Wakenya also facilitated the development of innovative approaches<sup>7</sup> to enhance the reach and impact of the NSAs supported especially during the COVID-19 pandemic which forced CSOs to shift to providing legal services and access to justice information remotely

Thirty-one (31) Non-State Actors (NSAs) were awarded grants to provide Legal Aid Services and strengthen access to justice to the marginalized and vulnerable communities in the 12 focal counties. Through these interventions, 354,169 (143,739M; 210,430F) direct beneficiaries and an estimated 4,988,917 indirect beneficiaries were reached with legal aid and assistance using various strategies and approaches.<sup>8</sup> This accounted for an estimated 36.2% of the total population in the 12 target PLEAD counties compared to a target of 40% in set the Project Document (PRODOC).

As a result of the concerted efforts of the NSAs, over 310 legal aid clinics were conducted where 3,748(1,252M; 2,496F) citizens received legal aid. Additionally, (8) legal aid centres were established; (6) cases were provided with legal representation; 1 mobile court session was conducted, and 94 beneficiaries were assisted through pro-bono advocates.

During the reporting period, Amkeni supported advocacy initiatives by NSA for effective implementation of the Legal Aid Act, 2013. The advocacy focused on the importance of mainstreaming legal aid within the county's policy and planning processes. Consultative forums on ADR and Alternative Justice System (AJS) were held bringing together paralegals and AJS practitioners across the country. CSOs were also supported to engage with national level duty bearers on policy and legislative development<sup>9</sup> as well as enforcement and monitoring of rights and freedoms.

Finally, under Outcome area 1, NSAs supported under PLEAD held a total of 12 review meetings to inform strategy as well as enhance sustainability of the initiatives. The meetings brought together relevant

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<sup>6</sup> Specific groups that were reached included: 60,000 vulnerable women; 1,600 children and youth with disabilities in school and 116,692 PWDs and caregivers.

<sup>7</sup> Toll-free help lines, Integrated Complaints Referral Mechanism, Support towards virtual courts sessions, Incident reporting system, social justice caravans, ward based legal education sessions, street law programmes and development of mobile application *Pata Haki* ("Realize Your Rights")

<sup>8</sup> Education and outreaches; development and dissemination of IEC materials; use of Informal justice systems such as ADR; formation of networks and partnerships; Psychosocial support for SGBV survivors; working with Community Paralegals, Religious Leaders and Council of Elders, to strengthen legal awareness in their communities as well as to bridge the gap between the community and the formal and informal justice system.

<sup>9</sup> Raia Development Initiative developed a prototype bill for marginalized & minority groups which is at the county assembly awaiting assent, TUBAE advocated for the adoption of the Turkana County Fiscal Strategy Paper (CSFSP) 2020; KUB advocated for the implementation of disability legal frameworks; CRECO advocated for an enabling digital space for civil society; NRF advocated for improved responsiveness of the government on demands for public participation prior to adoption of the Huduma Bill; HAKI Africa advocated for integration of HRBA in Covid-19 public health regulations and in COVID-19 Responses and; CSD in Kisumu advocated for enhanced transparency and responsiveness on use of resources allocated to County health budgets..

stakeholders in the justice sector where discussions were held on how legal aid services provision could be promoted, towards responding to access to justice needs. The meetings held also helped identify gaps in project implementation and propose actions for improvement.

### **Project Outcome 3: Improved organizational performance, sustainability and enabling environment for CSOs in Kenya**

Under Outcome 3, Amkeni sought to improve the organizational performance, sustainability and operating environment for civil society in Kenya. Amkeni prioritized continued advocacy towards the operationalization of the PBO Act 2013. Towards this end, Amkeni waKenya with support from the EKN, provided financial support to the Civil Society Reference Group (CSRG) to produce harmonized draft regulations meant to elaborate on the substantive provisions of the PBO Act 2013. To enhance the level of awareness and knowledge on the PBO Act 2013, CSRG developed and disseminated IEC materials,<sup>10</sup> and made efforts to enhance self- regulation within civil society by holding capacity building forums for five county based CSO networks

The NGO Board continued to receive technical and financial support from Amkeni through funding from the EKN. This was to enable the regulator and the sector to strategically plan for the implementation of the PBO Act 2013 and hence a successful transition to the envisaged new legal regime. Support included provision of technical assistance to the Board to conduct a study on the transition to envisaged new legal regime. The Board also received support to launch the Annual NGO Sector Report of 2019 and the NGO coordination Board Strategic plan. The NGO Board's staff capacities in public policy analysis and change management were enhanced through training. Amkeni supported the NGO Board to develop an Enterprise and Resources Planning (ERP) system intended to digitize, integrate and hasten management and business processes of the regulator. Finally, the NGO Board was also supported to conduct three (3) regional NGO engagement forums with CSOs as part of the ongoing re-engagement strategy.

With funding from the EKN, CRECO implemented a project which built the capacity of CSO leaders from 25 counties in Kenya on digital rights & skills and digital media literacy to maximize on the full potential that technology offers. CRECO also held forums with different stakeholders aimed at catalyzing discourses on protecting/expanding digital civic space.

During the period, Amkeni also sought to improve the organizational performance and sustainability of IPs. Through two (2) learning forums, Amkeni IPs received capacity to manage their respective interventions in compliance with UNDP requirements for greater efficiency, effectiveness, and sustainability. Amkeni convened quarterly review meetings and the annual review meeting which provided opportunities for grantees to share their progress, experiences, challenges, and lessons learnt during project implementation. The Amkeni PMU identified capacity needs and gaps of grantees through routine monitoring visits and debriefing sessions that were conducted on a quarterly basis. These gaps were addressed through trainings and facilitation of debriefing sessions aimed at enhancing capacity. To enhance sustainability of grantees, and guided by Amkeni WaKenya, the CSOs earmarked 5% of their budget for sustainability and implemented different strategies to ensure continuation of

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<sup>10</sup> 3500 brochures (simplified information on the PBO Act - 1500 in Swahili, 2500 in English) and 3000 copies of the voluntary service charter (draft code of conduct for PBOs).



project initiatives beyond project end date. CSOs also received technical and practical support on communication and branding in order to enhance timely reporting and improve on project visibility. In addition to these initiatives, Amkeni produced and disseminated over 15 knowledge products.

#### **Project Outcome 4: Effectiveness of CSOs response to Contemporary emerging issues enhanced**

Through integrated programming and with resources from UNDP, Amkeni implemented the Strengthening Public Accountability and Integrity Systems (SPAIS) project that sought to contribute to efforts by government and non-state actors aimed at corruption prevention and for improved service delivery and inclusive governance. Through the project, 2,925 (1,531 M; 1,394 F) beneficiaries were reached directly and over 2,897,023 indirectly with anticorruption messaging. This represents 41% of target population across Nairobi and Mombasa Counties where this project was implemented.

The SPAIS Project commenced at the height of the Covid-19 pandemic in Kenya and several IPs implemented projects that sought to enhance transparency and monitoring of resources allocated to interventions aimed at dealing with the pandemic. Research studies on social accountability were also carried out and reports prepared were disseminated to the public and shared with relevant authorities to advance advocacy. In all instances, the provision of evidence-based data/ findings was largely welcomed by project beneficiaries and stakeholders as it demonstrated the IP's commitment to disseminate credible data and findings which were self-explanatory and relatable.

SPAIS projects worked with different stakeholders including CSOs and County Government Departments. The media was also not left out. Media personnel received training on promoting Social accountability for different issues including Corruption prevention in the Health Sector and investigative journalism within the context of a pandemic.

On enhancing Internal Monitoring & evaluation, reporting and knowledge management processes of Amkeni, Amkeni Wakenya conducted a joint monitoring mission to Mombasa and Kilifi counties with the European Union (EU) and EKN delegations. The mission aimed at assessing the extent to which the objectives of the project were being achieved and the contextual environment of the Programme.

Internal M&E capacity of Amkeni PMU was also enhanced through upgrading the M&E online system to increase its efficiency, Amkeni data collection tool (Form D) digitized and uploaded on the ODK Platform as well as adoption of virtual monitoring approach to track the work of grantees and monitoring compliance.

On visibility and profile of Amkeni Wakenya project as a critical actor in democratic governance sector, 640 interactions were reported on the Amkeni Wakenya website, over 896 interactions reported on social media platforms namely twitter, Instagram, YouTube and the Medium platform. Amkeni Wakenya also developed and disseminated several knowledge products notably the 2019 Annual report fact sheet that summarized the key project results that were realized under EKN and EU funding in the previous year. The factsheets were disseminated through the Amkeni microsite and social media channels

## Project Outcome 5: Effectiveness of Amkeni Wakenya to provide support to civil society organizations in the Democratic Governance in Kenya enhanced

During the period under review, Amkeni's human resource was enhanced through the recruitment of a capacity building officer and a communications and knowledge management intern. Amkeni staff meetings were held as well as 4 Project Approval Steering Committee meetings and 2 Development Partners (DP) meetings. In 2020, Amkeni also commenced the process of reviewing and documenting standard operating procedures (SoPs) for grants management.

On resource mobilization, Amkeni Wakenya submitted a proposal to the EKN for a new human rights project. During the year, PMU also participated in a small grants fair organized by development partners supporting democratic governance portfolios in Kenya. This fair was an opportunity for Amkeni to showcase and position its work strategically with the aim of increasing donor interest in the facility's work.

To ensure that the Covid-19 restrictions did not hinder M&E activities, the Amkeni M&E data collection tool (Form D) was digitized and uploaded to the ODK Platform and is being hosted by UNDP Servers as well as upgrading the Amkeni online reporting system with an aim of increasing its efficiency

### Key Challenges

- **The outbreak of COVID -19 disrupted implementation of projects at both Amkeni and grantee levels.** There was also disruption in service delivery in the Justice sector, which undermined the grantee's access to project sites and target beneficiaries. This inevitably led to delays in the achievement of project milestones.
- **Insecurity in the project areas** – Numerous logistical challenges due to ongoing security operations in the project areas and violent inter-ethnic conflicts caused delays in project implementation. This challenge was mitigated through integration of peace messaging in project activities, advising staff and paralegals to avoid conflict-affected areas, and capacity development on security management as well as rescheduling activities past the planned time.

### Key lessons learnt

- **The adoption of virtual engagement platforms** ensured a larger reach of the different projects during the COVID-19 period. These platforms included the use of webinars, social media, and community radio stations. This approach ensured that the community members received messages on COVID-19 prevention, GBV prevention, and referral pathways for the survivors during the restriction of movement period.
- **The use of innovative approaches such as appreciative methodologies in training council of elders on ADR mechanism** helped in resolving a variety of disputes since most of the issues raised were civil, and there was also need to convert the already existing community peace structures into ADR because of their solid reputation and respectable standing in the communities.
- **Taking the Court Users Committees (CUCs) to the grassroots areas** for civic engagement was more effective than supporting quarterly CUC meetings. This innovative approach enabled the communities to engage directly with duty bearers and receive one on one feedback on their issues.

It also created an opportunity for duty bearers to demystify the formal justice system and build public confidence on the same. The approach enabled CUC members to appreciate challenges faced by community members in accessing justice.

- **The technology and innovation platforms** played a key role in the implementation of activities despite the emergence of a global pandemic, innovating new ways of engaging stakeholders, for instance virtually through technology, enabled the organizations to maintain the project's momentum in terms of implementation.

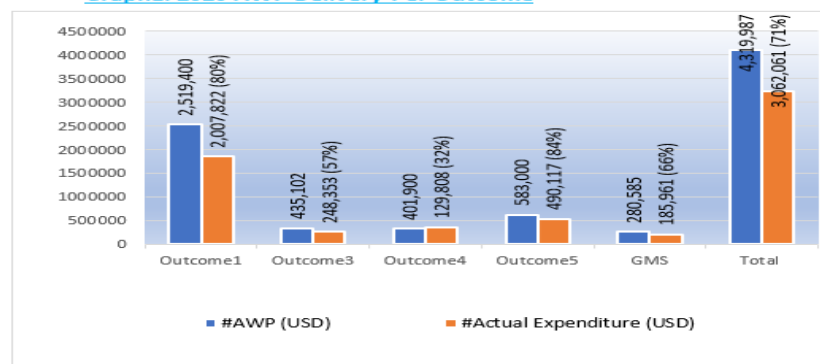
## FINANCIAL PROGRESS

The approved budget of Amkeni Wakenya in the 2020 annual workplan (AWP) was **US\$ 4,319,987** with the Embassy of the Kingdom of the Netherlands (EKN), European Union (EU) and United Nations Development Programme (UNDP) providing the resources. The project registered a cumulative expenditure of **US\$ 3,062,061** recorded by 31 December 2020 representing overall AWP delivery of **71%** against the backdrop of COVID-19 pandemic that disrupted to a great extent, smooth implementation of the planned activities. However, UNDP re-purposed resources of the project to support COVID-19 response interventions and encouraged grantees to embrace use of ICT tools and innovative interventions which allowed for continuity of project implementation, despite the various travel restrictions and social distancing guidelines which otherwise would have slowed delivery. Grants to address contemporary development challenges still remain the key delivery methodology for the Amkeni project which contributed to 46% of the expenditure while other direct programme costs accounted for 48%. There has been a slight decline in grants uptake owed to slowed implementation by grantees caused by the pandemic. The project continues to explore innovative ways to support grantees should the pandemic persist.

**Table1: 2020 AWP Delivery-Per Outcome**

|              | #AWP (USD)       | #Actual Expenditure (USD) | #Delivery Rate (%) |
|--------------|------------------|---------------------------|--------------------|
| Outcome1     | 2,519,400        | 2,007,822                 | 80%                |
| Outcome2     | 100,000          | -                         | 0%                 |
| Outcome3     | 435,102          | 248,353                   | 57%                |
| Outcome4     | 401,900          | 129,808                   | 32%                |
| Outcome5     | 583,000          | 490,117                   | 84%                |
| GMS          | 280,585          | 185,961                   | 66%                |
| <b>Total</b> | <b>4,319,987</b> | <b>3,062,061</b>          | <b>71%</b>         |

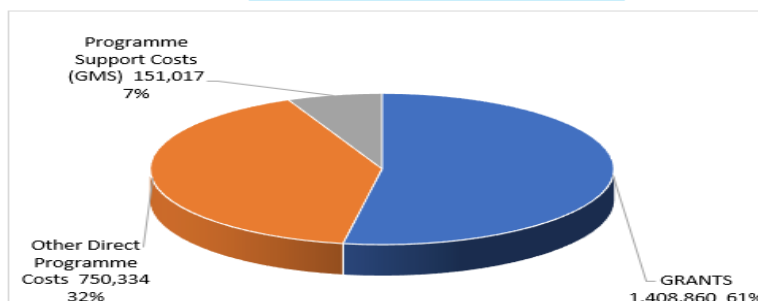
**Graph1: 2020 AWP Delivery-Per Outcome**



**Table2: 2020 Expenditure Outlook**

|                               | Actual Expenditure (USD) | Percentage (%) of the Total Expenditure |
|-------------------------------|--------------------------|---|
| GRANTS                        | 1,408,860                | 46%                                     |
| Other Direct Programme Costs  | 1,467,240                | 48%                                     |
| Programme Support Costs (GMS) | 185,961                  | 6%                                      |
| <b>Total</b>                  | <b>3,062,061</b>         | <b>100%</b>                             |

**Graph2: 2020 Expenditure Outlook**



## SITUATIONAL BACKGROUND

Amkeni Wakenya programme entered its sixth year of the second phase of implementation in 2020. This section analyses the key developments, events, and factors that broadly impacted on the implementation of the project during the reporting period.

### Political context

The Building Bridges Initiative (BBI) that was initiated by H.E. President Uhuru Kenyatta and former Prime Minister Rtd Hon Raila Odinga in 2019 was perhaps the most defining political event of 2020. In December 2019, the BBI Taskforce released its report on various constitutional, legislative and administrative reforms required to address the nine-point issues that had been identified by the two principals. The Taskforce conducted further consultations on the report during the early parts of 2020 and thereafter compiled the final report which was launched by the two principals in July 2020. In November 2020, the government published a constitutional amendment bill which now seeks to incorporate the BBI proposals into the Supreme law. The stage has now been set for holding a referendum in 2021.

Among the initial nine issues identified for consideration by the BBI included human rights, devolution and divisive elections.<sup>11</sup> These are issues which the Amkeni Wakenya facility has prioritized as programming areas in the current phase of the project. Arising issues include: The Constitution Amendment (or BBI) Bill 2020 proposes to include personal data protection as part of privacy rights under the Bill of Rights.<sup>12</sup> There are concerns that the role of judiciary in guaranteeing rights is at risk, due to a proposal in the Bill on establishing an office of the Ombudsman that could undermine the independence of courts.<sup>13</sup> The Bill proposes to strengthen devolution by increasing minimum county revenue share (from minimum of 15% to 35%) and establishing institutional structures.<sup>14</sup> However, mandates of counties remain largely unchanged. The BBI Bill has paid more attention to re-designing the executive, leadership structures of parliament and electoral procedures relating to the same.<sup>15</sup>

The BBI Bill has attracted significant opposition from sections of civil society and faith-based organizations due to provisions that may undermine enforcement of human rights, checks on executive and bloating of parliament. There are also concerns that key issues relating to land and natural resources governance have not been sufficiently tackled through the BBI Bill and hence, the opportunity to address historical grievances has been missed. The upshot is that the proposed referendum to adopt the BBI is likely to be contested. It is also anticipated that risks to civic space shall arise, attributed to civil society's opposition to the BBI Bill. Amkeni grantees supported by Amkeni through funding from the EKN conducted sensitization on the BBI report and its proposals during the reporting period. In addition, grantees continued to monitor the civic space and advocate for tolerance to views opposing the BBI Bill.<sup>16</sup> There is need therefore for

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<sup>11</sup> Republic of Kenya, 'Building bridges to a new Kenyan Nation' (2018) accessed from <http://www.president.go.ke/2018/03/09/building-bridges-to-a-new-kenyan-nation/> on 28/03/2020; the 9 issues include: ethnic antagonism; lack of national ethos; inclusivity; devolution; divisive elections; safety and security; corruption; shared prosperity and; responsibilities and rights

<sup>12</sup> Constitution of Kenya Amendment Bill, 25 November 2020, s 5

<sup>13</sup> Ibid, s 44

<sup>14</sup> Ibid s 50

<sup>15</sup> Ibid s 12 – 35

<sup>16</sup> This was done through support to Civil Society Reference Group.

sustained civic education and monitoring civic space around the BBI Bill and the referendum process in 2021.

The judiciary witnessed a major transition, following the retirement of Hon David Maraga as the second Chief Justice under the Constitution of Kenya (CoK) 2010. Hon Maraga continued with the judicial reforms initiated by his predecessor, Hon Dr Willy Mutunga under the framework of the Sustaining Judiciary Transformation (2016-2021) blueprint. Hon Maraga among other things prioritized the reduction of case backlog which stood at of 533,350 cases when he took over in 2016.<sup>17</sup> This priority coincided with the one of the objective of the PLEAD Programme, which seeks to promote use of alternative dispute resolution and case diversion strategies as ways of reducing case backlogs. Thus by supporting the digitization of court processes, overseeing the production of the Alternative Justice Systems Policy and adoption of court annexed mediation, Hon Maraga fostered an enabling environment for the PLEAD Programme and promotion of access to justice generally. However, the tenure of Hon Maraga was characterized by the persistence of tensions between the executive and the judiciary, which adversely affected the performance of the courts.<sup>18</sup> Because these tensions resulted in reductions in budgetary allocations to courts, Amkeni partners had to reschedule some activities (e.g. mobilization for mobile courts and outreach by Court Users Committee) for lack of counterpart funding by the judiciary. The choice of the next Chief Justice will definitely have an implication on the work of Amkeni.<sup>19</sup>

### Socio-economic context

According to official sources, economic growth slowed to 5.4% in 2019 from 6.3% in 2018 on account of weak performance of the agricultural sector due to suppressed rainfall.<sup>20</sup> With improved rains at the beginning of 2020, there was optimism that growth would pick up in the year, but this gave way to pessimism due to disruptions occasioned by COVID-19 pandemic. Even though the disease was first detected in China in late 2019, it quickly spread globally, with the first confirmed case in Kenya reported in March 2020. The government swiftly introduced a series of sweeping measures including social distancing, travel restrictions and scaling-down of public services to combat the spread of this disease. However, enforcement of these measures by National Police Service (NPS) in some instances entailed use of

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<sup>17</sup> The Judiciary, *State of the judiciary and the administration of justice: Annual report 2016-2016* (Judiciary, 2017) VII accessed from <https://www.judiciary.go.ke/download/state-of-the-judiciary-and-the-administration-of-justice-report-2016-2017/> on 28 Feb 2020 ; the backlog had increased by 7% from the previous reporting period (2015-2016)

<sup>18</sup> See Paul Ogemba, *You are out of order sir, furious maraga tells uhuru* The Standard, 8 June 2020 edition; the Hon Maraga accused the President and the executive at the national level for disregarding court orders, blatant refusal to appoint judges to the superior courts contrary to the law and interfering with the work of the Judicial Service Commission (responsible for administering the courts).

<sup>19</sup> It should be noted that the Chief Justice is also the chair of the Project Steering Committee of the PLEAD Programme and hence the attitude and disposition of the officeholder towards judicial reforms will affect the Programme.

<sup>20</sup> Kenya National Bureau of Statistics, *Economic survey 2020*, (KNBS, 2020) 22 <<https://s3-eu-west-1.amazonaws.com/s3.sourceafrica.net/documents/119905/KNBS-Economic-Survey-2020.pdf>> accessed 11 July 2020

"unnecessary and excessive force" thereby contravening applicable human rights standards and eliciting condemnation by Human Rights groups.<sup>21</sup>

The public health restrictions adversely affected business continuity among Amkeni CSO grantees and forced many to scale-down activities due to social distancing guidelines. The government initially reduced provision of essential public services to the public, including justice sector services and this put rights related to access to basic services and justice at great risk. The Kenya National Commission on Human Rights reported human rights violations arising out of enforcement of containment measures wherein 10 people lost lives and 87 suffered degrading and inhuman treatment in the hands of law enforcement agents.<sup>22</sup> There was a notable increase in gender based violence and exposure of vulnerable girls and women.<sup>23</sup> Amkeni responded by seeking concurrence from the EKN to repurpose CSO grants towards COVID-19 responses that sought to integrate human rights based approaches and safeguard the vulnerable from attendant violations.

However, during the reporting period a continued lack of transparency and accountability by the Ministry of Health and other government agencies charged with managing public resources during the pandemic was witnessed. This led to reported cases of embezzlement of commodities including donated and misappropriation of public funds meant to procure Personal Protective Equipment and support Social Protection Programmes. The clear efforts and measures put in place by the Government of Kenya did not give enough consideration to governance and corruption related issues. This led to a call to action by partners supported by UNDP and other non-governmental agencies in enhancing accountability and transparency in Covid-19 response measures.

## Civil Society Context

During the Annual NGO Week that was held in February 2020, the Cabinet Secretary for Interior reiterated the government's commitment towards the operationalization of the Public Benefit Organizations (PBO) Act of 2013. This announcement sparked optimism that the current Non-Governmental Organizations (NGO) Coordination Act of 1990 would be replaced with a framework that allows PBOs to self-regulate effectively, create an independent regulator and specify requirements for the transparent and speedy registration of PBOs. In addition, the PBO Act provides a framework for partnership between the government and PBOs. However, the COVID-19 crisis and the rolling-out of the BBI initiative appear to have shifted the government's focus away from operationalizing the PBO Act.

The Amkeni project nevertheless continued to support the institutional strengthening of the NGO Coordination Board with a view to ensuring greater responsiveness of the regulator to the needs of PBOs. In addition, the project supported a study on the imperatives of transition from the NGO Coordination Act

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<sup>21</sup> See for instance Allan Maleche & Nerima Were, 'Kenya's growing anti-rights public health agenda during COVID-19' <<https://www.kelinkenya.org/kenyas-growing-anti-rights-public-health-agenda-during-covid-19/>> accessed 26 December 2020; authors report that 6 persons were killed by police on the first night of curfew.

<sup>22</sup> See: Kenya National Commission on Human Rights, 'Pain and pandemic: unmasking the state of human rights in Kenya in the containment of COVID-19 pandemic' (KNCHR, June 2020) <<https://www.knchr.org/Articles/ArtMID/2432/ArticleID/1104/Pain-and-Pandemic-Unmasking-the-State-of-Human-Rights-in-Kenya-in-Containment-of-the-COVID-19-Pandemic>> accessed 28 August 2020.

<sup>23</sup>

to the PBO Act, as a way of promoting preparedness of the NGO sector. It was necessary to sustain CSO-led advocacy for operationalization of the PBO Act and monitoring of civic space.

### UNDP Internal Context

In response to the COVID-19 pandemic, UNDP formulated a three-by-three integrated global response framework which sought to enhance capabilities of countries to *prepare* for and protect people from the pandemic and its impact; *respond* during the outbreak; and *recover* from the economic and social impacts. To operationalize this framework UNDP prioritized strengthening health systems, inclusive and integrated crisis management and response and; social and economic impact needs assessment and response. The UNDP response aligned with the UN Sustainable Development Group (UNSDG) Framework for the Immediate Socio-Economic Response to COVID-19, which prioritized: protection of health services; social protection; job protection (including small business and informal sector); macroeconomic response and multilateral cooperation and; promotion of social cohesion and community resilience.

At the country level, UNDP provided leadership under the Transformative Governance Pillar of the UN Development Assistance Framework (UNDAF) to identify key COVID responses that included: ensuring business continuity of government at both levels; human rights monitoring, documentation and responses; promotion of peace, cohesion and conflict prevention; continuity in devolved services; and strengthening institutional coordination mechanism for COVID response at both levels of government.

Amkeni project aligned its work with the UNDP framework by ensuring CSO grantees applied up to 10% of their respective grant resources towards human rights monitoring, documentation and responses during COVID crises. In addition, Amkeni project implemented UNDP COVID response initiatives funded by the Governments of Japan and Norway, focused on safeguarding human rights of the vulnerable including persons living with disabilities, women, and girls. With resources from UNDP, Amkeni provided grant management support for an anticorruption project which focused on promoting accountability in the utilization of public resources allocated to COVID-19 response measures.

## 2. PROGRESS TOWARDS DEVELOPMENT RESULTS

**UNDAF Outcome:** By 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society  
 CPD Output 2.5: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services.

*Summary achievements based on CPD Outcome 1 targets*

| CPD outcome target   | Summary achievement to date   | Status Ongoing, Completed, Delayed, |
|--|---|-------------------------------------|
| <b>Indicator 2.5.1: Proportion of the marginalized population who have access to formal justice system</b><br><b>Baseline: 15%</b> | - <b>60.2%</b> <sup>24</sup> of marginalized population accessing formal justice target in the targeted counties. <b>443,399(178,988F; 264,411M)</b> citizens reached directly and an estimated | <b>Fully achieved.</b>              |

<sup>24</sup> Includes 6 EKN and 12 PLEAD supported counties.



Target: 40%

9,900,244 citizens reached indirectly).

Overall

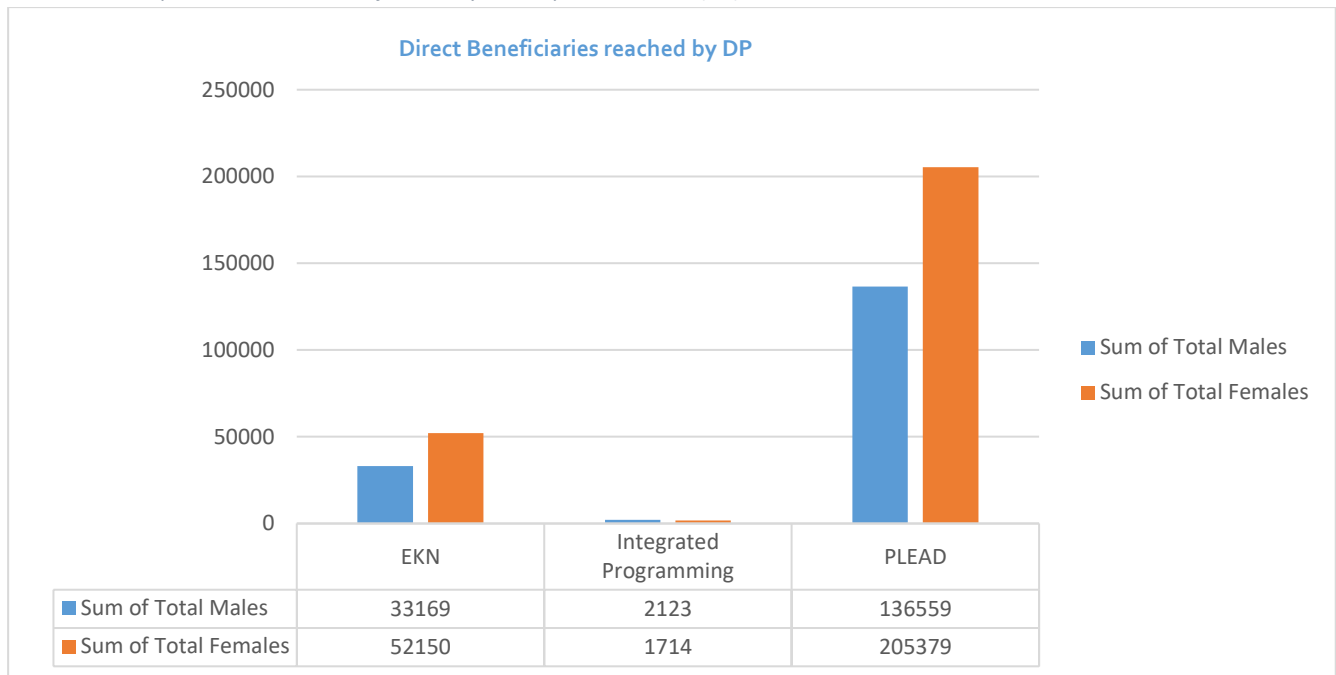
Fully achieved

### Narrative

To measure the progress towards achievement the Country Project Document (CPD) output, an indicator on proportion of the marginalized population who have access to formal justice system was used. The project reached **443,399(178,988F; 264,411M)** direct beneficiaries and an estimated **9,900,244** indirect beneficiaries with the necessary information to enable them access formal and informal justice system across the **14** target counties. Overall, the project reached **10,343,643** beneficiaries that represent **60.2%** of the total population in the target counties compared to a target of **40%**.<sup>25</sup>

This was achieved through support from European Union, Embassy of Netherlands and integrated programming from UNDP. Below are tables showing the beneficiaries reached:

Graph 1: 2020 direct beneficiaries by Development Partner (DP)



<sup>25</sup> Estimates based on the 2019 population census.

Graph 2: Beneficiaries reached indirectly by DP

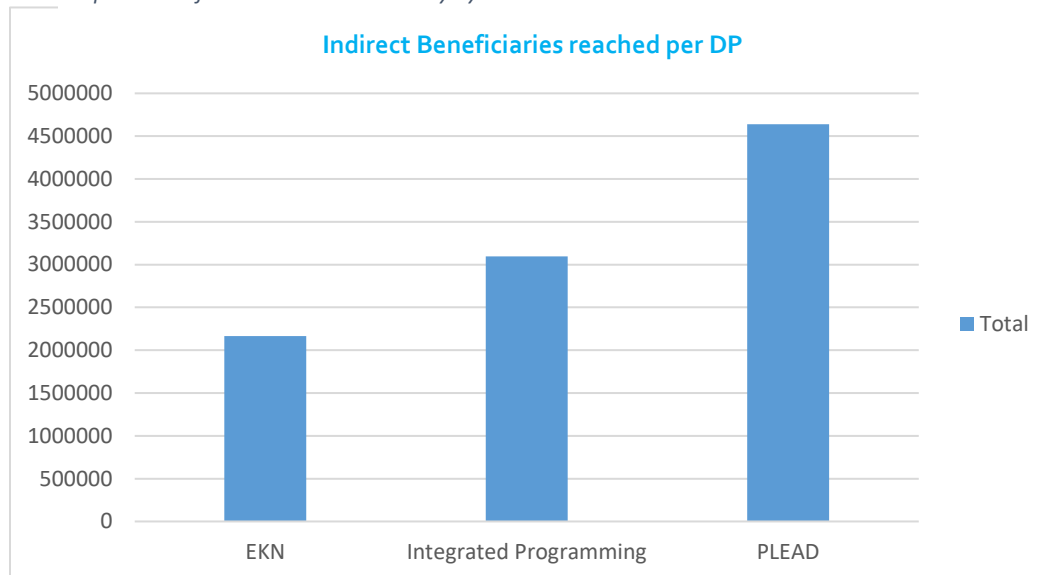
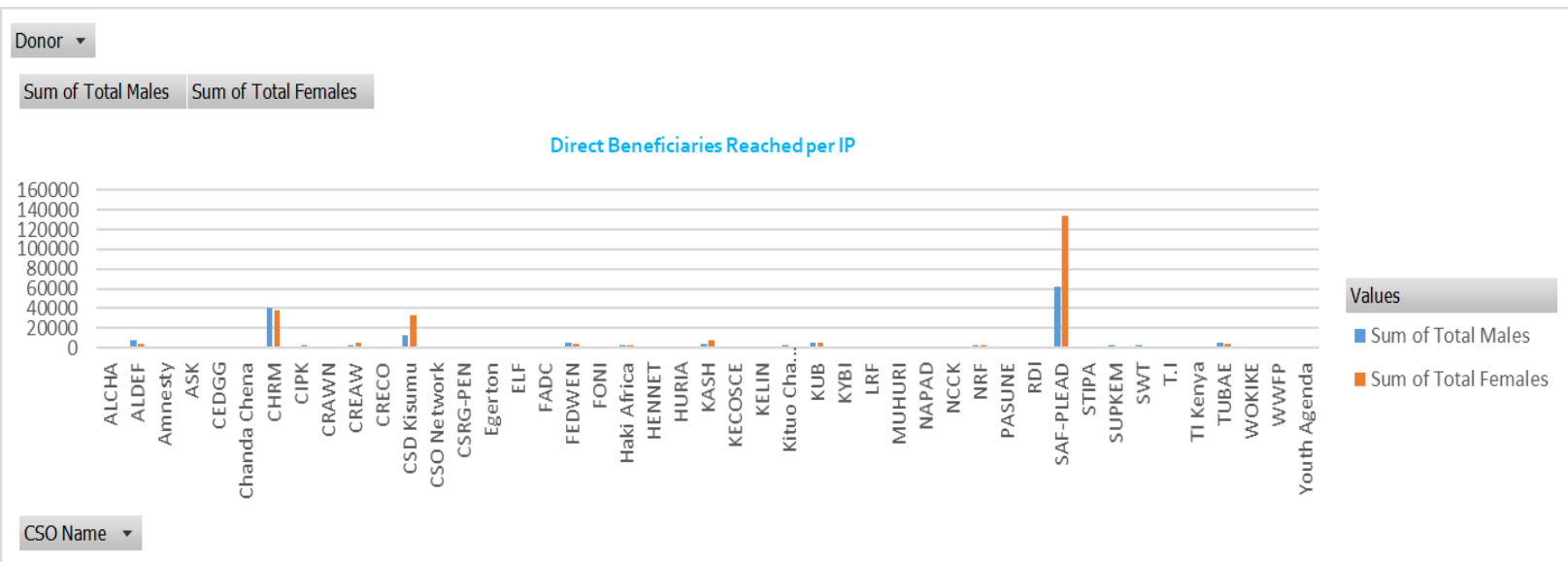


Table 1: Proportion of the marginalized population who have access to formal justice system and human rights information

| County              | Males          | Females        | Total Indirect   | Grand Total of Beneficiaries | KNBS County Pop. Data | % Reached          |
|---------------------|----------------|----------------|------------------|------------------------------|-----------------------|--------------------|
| Busia               | 26             | 28             | 200,250          | 200,304                      | 893,681               | 22.41336674        |
| Garissa             | 4,032          | 4,073          | 4,514            | 12,516                       | 841,353               | 1.487603895        |
| Isiolo              | 10,865         | 7,543          | 21,812           | 40,220                       | 268,002               | 10.38574339        |
| Kisumu              | 18,219         | 42,615         | 257,000          | 317,834                      | 1,155,574             | 27.50442637        |
| Lamu                | 900            | 696            | 5,500            | 7,096                        | 143,920               | 4.930516954        |
| Mandera             | 1,670          | 1,951          | 250,312          | 253,800                      | 867,457               | 29.2579344         |
| Marsabit            | 62,178         | 133,792        | 120,000          | 315,865                      | 459,785               | 68.69841339        |
| Mombasa             | 4,024          | 2,575          | 1,578,085        | 1,584,539                    | 1,208,333             | 131.1342982        |
| Murang'a & Laikipia | 4,853          | 4,437          | 1,427            | 10,717                       | 1,575,200             | 0.63103098         |
| Nairobi             | 12,838         | 14,394         | 3,674,843        | 3,702,075                    | 4,397,073             | 84.19407638        |
| Nakuru              | 1,048          | 1,258          | 1,910,000        | 1,912,306                    | 2,162,202             | 88.44252295        |
| Tana River          | 2,873          | 3,021          | 463,722          | 469,515                      | 315,943               | 148.607502         |
| Turkana             | 5,000          | 4,125          | 425,000          | 434,125                      | 926,976               | 46.83238833        |
| Uasin-Gishu         | 40,669         | 38,618         | 849,000          | 928,287                      | 1,163,186             | 79.8055513         |
| Wajir               | 9,793          | 5,285          | 139,556          | 154,444                      | 781,263               | 19.76850305        |
| <b>Grand Total</b>  | <b>178,988</b> | <b>264,411</b> | <b>9,900,244</b> | <b>10,343,643</b>            | <b>17,159,948</b>     | <b>60.20111483</b> |

According to table 1 above, the highest numbers of beneficiaries were from Mombasa, Nairobi and Uasin-Gishu counties. This was attributed to use of radio stations with the highest listenership at the county levels thus higher reach in indirect beneficiaries. Mombasa, Uasin-Gishu and Nairobi counties had CSOs implementing programmes supported by the three Development Partners thus also contributing to the high reach of beneficiaries. Graph 1 below represents the distributions of the direct beneficiaries in the different counties by Implementing Partners.

Figure 1: Direct beneficiaries per implementing partner (IP)



Community Support for Development (CSD) in Kisumu, Centre for Human Rights and Mediation (CHRM) and Saku Accountability Forum (SAF) reached the highest numbers of direct beneficiaries. Overall, the project reached more females than males, which is commendable since traditionally women are marginalized and therefore under-reached by development interventions. Data in Table 1 above was further desegregated into different target groups namely:

- 1) **PWD's** - These are persons with disability, both male and female
- 2) **Youth out of School** - These are young adults under the age of 35 years, both male and female.
- 3) **Minorities** - These are both male and female persons who are less than the dominant community.
- 4) **Youth in School** - These are primary and secondary school going children, both male and female.

- 5) **Citizens** - These are ordinary male and female who do not belong to any of the groups identified above. Below is an overall presentation of project reach in reference to the above target groups:

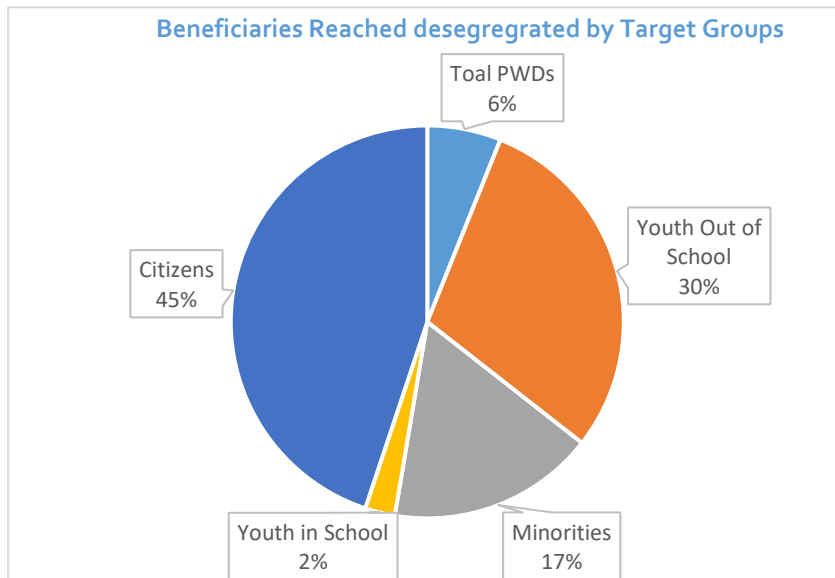


Figure 2 above shows that many more citizens and youth were reached by the project interventions. This augurs well with youth-centric strategy of UNDP in Kenya. The project used the following project delivery strategies during the implementation of project activities.

*Table 2: Strategies used to reach Kenya with access to justice programs.*

| Strategy   | Number | Frequency of use |
|--|--------|------------------|
| Workshops  | 88     | 4.6%             |
| Public forums  | 147    | 6.3%             |
| Legal aid clinic                                       | 310    | 3%               |
| Informal meetings/discussions                          | 114    | 7.1%             |
| Face to face consultations                             | 2,967  | 73.9%            |
| Media (Radio Shows, Snapshots & P.S. A <sup>26</sup> ) | 117    | 5.2%             |

Public forums, workshops, legal aid clinics, face-to-face consultations and informal meetings accounted for 94.8% of the outreach interventions employed by Amkeni Grantees which reached an estimated **443,399** beneficiaries directly while media initiatives used reached over **9,900,244** beneficiaries indirectly. The advantage of using mass media was that Kenyans outside the focal counties benefited from the information disseminated through the media initiatives. Additionally, 57,638 IEC materials were produced and disseminated by grantees. Zoom licenses were procured for Amkeni IPs as a Covid-19 mitigation strategy that helped them conduct virtual meetings during the reporting period.

<sup>26</sup> P.S.A – Public Service Announcements

In the outreach activities that were undertaken by Amkeni grantees, the content of discussions and discourse centered on: operationalization of the Legal Aid Act, information on legal aid awareness and access to Justice, Alternative Dispute Resolution (ADR) Systems training, Paralegalism, enhanced partnership with duty bearers, community justice systems training as well as handling Gender Based Violence cases in PLEAD supported counties.

In counties where EKN partners implemented their projects, human rights awareness interventions focused on knowledge of citizenship rights, the Huduma Bill and Access to justice for Sexual and Gender Based Violence (SGBV) survivors. This is because the EKN-funded projects sought to promote realization of human rights and therefore citizens’ knowledge on citizenship and the Huduma Bill was foundational to the achievement of this goal. The implications of the above results in relation to achievement of Amkeni thematic goal are further analyzed in the next section.

## 2.2 PROGRESS TOWARDS PROJECT OUTPUTS

This section provides an outline of the achievements per output as outlined in the approved 2020 AWP. It also contains an assessment of achievement of results under the PLEAD contribution, Embassy of Netherlands contribution and the UNDP Integrated Joint Programming.

**AWP Project Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans.**

**PLEAD Result Area 1: Increase Access to Justice by supporting Non-State actors to provide legal aid and awareness and strengthen community-based informal justice systems in 12 counties to make them just, accountable and equitable**

**PLEAD Result Area 2: Support Advocacy initiatives by Non-State Actors in 12 counties for effective implementation of the Legal Aid Act)**

| Annual Output (2020)  | Output indicator and Target (2020)   | Summary achievement during the Year  | Status         |
|---|--|--|----------------|
| <b>Output 1.1:</b> Enhanced Citizen awareness and engagement on human rights using innovative CSO approaches; | <b>Indicator 1.1.1:</b> % of citizens aware on basic human rights (Water, health, sanitation education).<br><br><b>Baseline:</b> 39.2%<br><br><b>Target:</b> 40% | -2,251,319 (85,319 (33,169M; 52,150F) direct <sup>27</sup> and 2,166,000 indirect <sup>28</sup> ) beneficiaries reached. This represents 26.9% of total population in the target counties versus a target of 40%.<br><br>-Capacity to access to justice and awareness on human rights to PWDs and the Indigent Population enhanced in the target counties.<br><br>-Capacity of 60,000 vulnerable women to access Universal Health Care (UHC) services in Kisumu County enhanced<br><br>-Enhanced monitoring and response to human rights violations related to COVID-19 restrictions<br><br>-Enhanced Social Accountability for realization of basic rights through grassroots mechanisms in Turkana County. | Fully Achieved |

<sup>27</sup> Direct beneficiaries are defined as those who participated directly in the project, and thus benefitted from the interventions.

<sup>28</sup> Indirect beneficiaries are defined as beneficiaries reached through radio programs, social media and TV shows

| Annual Output (2020)  | Output indicator and Target (2020)   | Summary achievement during the Year  | Status             |
|---|--|--|--------------------|
|   | <b>Indicator 1.1.2:</b> Number of innovative CSO approaches adopted<br><br><b>Baseline:</b> 0<br><br><b>Target:</b> 15   | Five (5) <sup>29</sup> innovative approaches developed and implemented during the reporting period   | Fully Achieved     |
| <b>Output 1.2:</b> Enhanced Access to justice [1] for the marginalized and vulnerable communities using innovative CSO approaches.                                | <b>Indicator 1.2.1:</b> % of the marginalized and vulnerable communities accessing Justice.<br><br><b>Baseline:</b> 15%<br><b>Target:</b> 40%                                | 36.2% of the total population in the targeted 12 PLEAD counties reached against an overall target of 40%.                                  | Partially Achieved |
|   | <b>Indicator 1.2.2:</b> Number of laws and policies on ADR adopted at national level.<br><br><b>Baseline:</b> 0<br><b>Target:</b> 1  | -AJS policy finalized and two (2) training sessions on AJS to CuCs in Nairobi County conducted with technical support from Amkeni Wakenya. | Fully Achieved     |
| <i>PLEAD Output 1.1: Non-State legal aid providers supported to provide legal aid and awareness in 12 counties (5 urban counties and 7 marginalized counties)</i> | <b>PLEAD Indicator 1.1.1:</b> % of Kenyans aware of legal aid programmes<br><br><b>Baseline:</b> 27.8%<br><b>Target:</b> Increase by 37.80% (in the 12 PLEAD focal counties) | -36.2% of (or 4,988,917) Kenyans in the 12 target counties are aware of the legal aid programs against a target of 37.8%.                  | Ongoing            |
|   | <b>PLEAD Indicator 1.1.2:</b> Number of people accessing legal   | -A total of 354,169 (143,739m; 210,430f) individuals directly accessed legal aid against a target of 172,855;                              | Fully Achieved     |

<sup>29</sup> (i) Formation of “reach a girl club” by FEDWEN (<https://drive.google.com/file/d/1Xbog3RyrsHll61-ThVKf6-lknjFdZCDo/viewm> ),(ii) Two CSOs (KUB and TUBAE) formed collaborative legal aid frameworks and County Assembly Networks to enhance access to justice and human rights, (iii) Use of visual aids by FEDWEN through the use of life size dolls, production of videos and short films as forms of conducting awareness on Sexual Reproductive Health Signs, (iv) CSD Kisumu conducted a research and analysis on the constitutional, legal and institutional framework for the primary health care funding in Kenya (v) Four CSOs (TUBAE, FEDWEN, Haki Africa and CRECO) reprogrammed 10% of grant resources to address human rights violations associated with COVID-19 restrictions.

| Annual Output (2020) | Output indicator and Target (2020)  | Summary achievement during the Year   | Status |
|----------------------|---|---|--------|
|                      | <p>aid through NSA in the targeted focal counties (sex disaggregated.)</p> <p><b>Baseline:</b> 13, 000 (6300f; 6,700m)</p> <p><b>Target:</b> 172,855 (98,883f; 73,972m)</p> | <p>-31 NSAs supported by Amkeni Wakenya continued to implement access to justice programs across the 12 focal counties</p> <p>- Four ADR &amp; AJS mechanisms were strengthened and over 205 cases across Uasin-Gishu, Garissa and Tana-River Counties were documented and resolved through ADR;</p> <p>-Legal aid awareness and education conducted through 88 Workshops, 147 Public Forums, 310 Legal Aid (clinics) Awareness Forums, 114 Informal Meetings/Discussions, 2,967 Face to Face Consultations and through 117 Media Initiatives.</p> <p>-338 (197M; 141F) Community paralegals, 1,626 religious leaders, and 1,202 council of elders trained with a focus of empowering and strengthening existing community justice structures</p> <p>-Legal Aid Services delivered through 310 legal aid clinics where paralegals assisted 3,748(1,252M;2,496F) citizens, legal representation in six (6) cases, 1 mobile court session and 94 assisted through pro-bono advocates.</p> <p>-Eight (8) legal aid centers across Tana-River, Mombasa, Isiolo, Wajir, Nairobi and Nakuru Counties established. These centres have aided over 139 cases.</p> <p>-Over 57,638 IEC materials on legal awareness developed and disseminated</p> <p>-Over ten (10) partnerships forged with county governments, Rights' Holders, Duty Bearers, University Academia, State Actors and Non-State Actors in the justice sector during the reporting period</p> <p>-Over Five (5) Review meetings to discuss on the journey and future of access to justice conducted during the reporting period</p> |        |

| Annual Output (2020)   | Output indicator and Target (2020)  | Summary achievement during the Year  | Status             |
|--|---|--|--------------------|
|  |   | <ul style="list-style-type: none"> <li>-Provision of psychosocial support to 702 victims affected by various social challenges.</li> <li>-Eight (8) innovative approaches to enhance access to justice developed by CSOs. Over 9,842 citizens have been assisted to obtain legal aid services through these approaches.</li> </ul>   |                    |
| <p><b>PLEAD Output 2.1:</b> <i>Non-state actors' advocacy for implementation of Legal Aid Act supported</i></p>  | <p><b>PLEAD Indicator 2.2:</b> Number of Policy dialogue held &amp; outcomes documented between NLAS, OAG &amp; DoJ</p> <p><b>Baseline:</b> 0</p> <p><b>Target:</b> 4</p> | <ul style="list-style-type: none"> <li>- A draft County Bill<sup>30</sup> for promoting access to justice for marginalized &amp; minority groups developed and submitted to Wajir County Assembly with support from Raia Development Initiative (RDI)</li> <li>- A draft County Bill on promotion of access to justice (dubbed ADR Fund) developed and submitted to Garissa County Assembly for enactment with support from SUPKEM- Garissa.</li> <li>- Training of 720 paralegals as per the legal aid act of 2016 facilitated by the Paralegal Support Network.</li> <li>- Advocate training on handling legal matters workshops conducted to help ensure high standards of professional conduct and ethical conduct for the legal profession in Kenya.</li> </ul> | Partially Achieved |
| <p><b>Output 1.3:</b> Enhanced CSO engagement with national level duty bearers on policy and legislative development as well as enforcement and monitoring of rights and freedoms.</p> | <p><b>Indicator 1.3.1:</b> Number of policy and legal changes on human rights attributable to CSO engagement</p> <p><b>Baseline:</b> 0</p> <p><b>Target:</b> 2</p>        | <ul style="list-style-type: none"> <li>-Enhanced advocacy for implementation of disability legal frameworks at county, national and international levels.</li> <li>-integration of human rights-based approach in responding to Covid-19 Pandemic.</li> <li>-Enhanced advocacy for integration of HRBA in Covid-19 public health regulations promulgated by GoK -Two (2) policy dialogues held by KELIN who led network of CSOs and NSAs on COVID 19 developed an advisory for government on COVID-19<sup>31</sup></li> <li>-Enhanced advocacy for enabling digital space for civil society</li> </ul>   | Fully Achieved     |

<sup>30</sup> [https://drive.google.com/file/d/1HZtBM\\_av2VZKlIVwAUSeXkcqdPBT\\_qXn/view?usp=sharing](https://drive.google.com/file/d/1HZtBM_av2VZKlIVwAUSeXkcqdPBT_qXn/view?usp=sharing)

<sup>31</sup> [https://drive.google.com/drive/folders/1PQrx6M3l6X7gRh6Wm5pheeU\\_Xgomd1x](https://drive.google.com/drive/folders/1PQrx6M3l6X7gRh6Wm5pheeU_Xgomd1x)



| Annual Output (2020)  | Output indicator and Target (2020)   | Summary achievement during the Year   | Status                |
|-----------------------|--|---|-----------------------|
|                       | <p><b>Indicator 1.3.2:</b> Number of policies enforcing rights attributable to CSOs engagement</p> <p><b>Baseline:</b> 2</p> <p><b>Target:</b> 4</p> | <p>-TUBAE provided technical support in the development of the Turkana County Fiscal Strategy Paper for 2020/21 which was approved in June 2020.</p> <p>-Improved responsiveness of Government of Kenya on demands for public participation prior to adoption of the Huduma Bill, 2020</p> <p>-Adoption of the Turkana County Fiscal Strategy Paper (CSFSP) 2020 using rights-based approached</p> <p>-Enhanced transparency and responsiveness on use of resources allocated to County health budgets in Kisumu County</p> | Fully Achieved        |
| <b>Overall status</b> |  |   | <b>Fully achieved</b> |

## Narrative

### Output 1.1: Enhanced Citizen awareness and engagement on human rights using innovative CSO approaches.

The results reported under this output were achieved through partnership with Embassy of Netherlands in Kenya. Overall, **26.9%** of total population in the 6 targeted counties were reached with sustained human rights education as shown in table 3 below. Significantly, a higher number of women were targeted compared to men. This is attributable to targeted focus on women and girls in all the six counties.

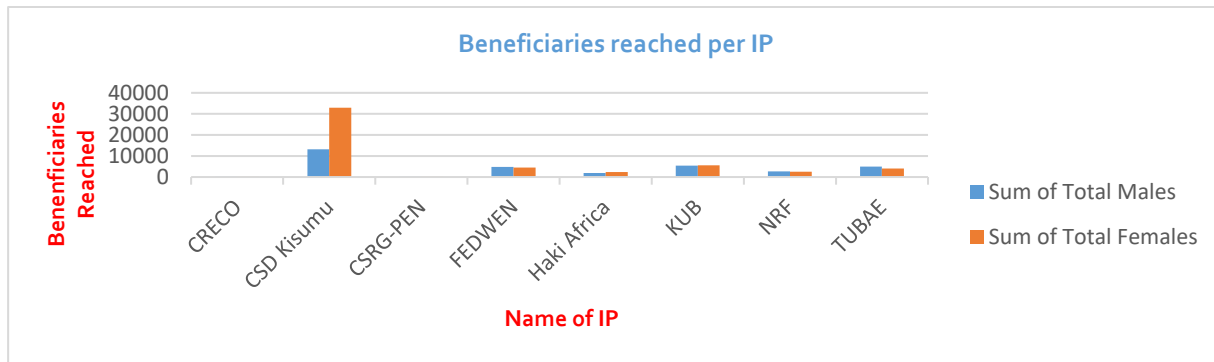
*Table 3: % of citizens' aware on basic human rights (Water, health, sanitation education).*

| County              | Total Males   | Total Females | Total Indirect Beneficiaries | Grand Total of Beneficiaries | KNBS County Pop. Data | % Reached <sup>32</sup> |
|---------------------|---------------|---------------|------------------------------|------------------------------|-----------------------|-------------------------|
| Kisumu              | 13,200        | 33,000        | 150,000                      | 196,200                      | 115,5574              | 16.97857515             |
| Murang'a & Laikipia | 4,853         | 4,437         | 1,427                        | 10,717                       | 1,575,200             | 0.63103098              |
| Nairobi             | 8,142         | 8,270         | 1,589,573                    | 1,605,985                    | 4,397,073             | 36.52395582             |
| Tana River          | 1,974         | 2,318         | 0                            | 4,292                        | 315,943               | 1.358472889             |
| Turkana             | 5,000         | 4,125         | 425,000                      | 434,125                      | 926,976               | 46.83238833             |
| <b>Grand Total</b>  | <b>33,169</b> | <b>52,150</b> | <b>2,166,000</b>             | <b>2,251,319</b>             | <b>8,370,766</b>      | <b>26.88573543</b>      |

<sup>32</sup> Computed by running the grand total of beneficiaries against the K.N.B.S census population data results conducted in 2019

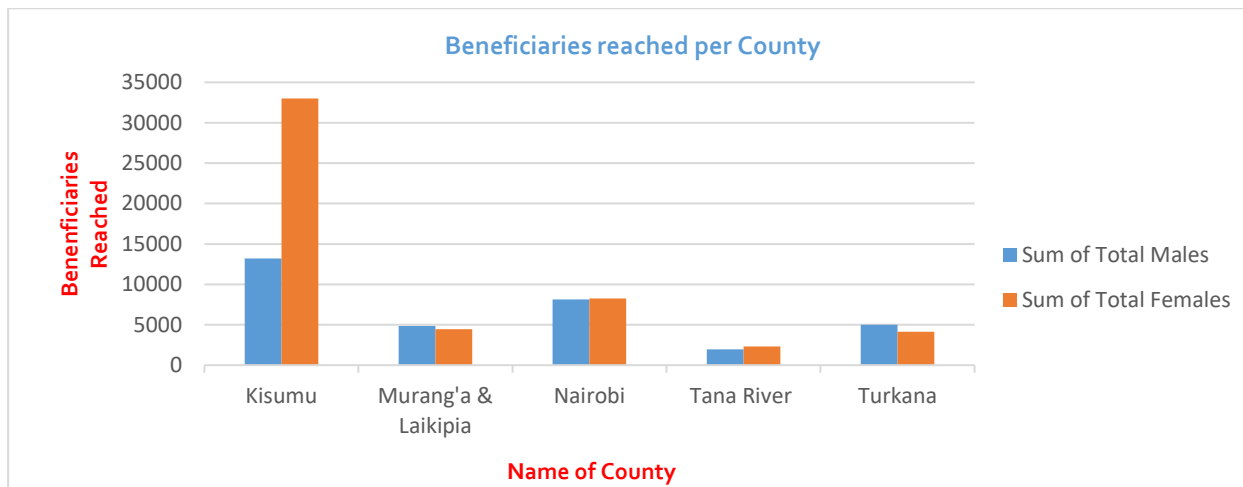
According to table 3 above, the highest numbers of beneficiaries were from Nairobi and Turkana counties. This was attributed to use of radio stations with the highest listenership at the county level. Nairobi county also has the highest number of CSOs being supported by Amkeni Wakenya while Turkana BioAloe Association (TUBAE) in Turkana County reached high numbers of indirect beneficiaries. The graph below represents the distributions of the direct beneficiaries in the different counties by Implementing Partners.

Graph 3: Direct beneficiaries per implementing partner



Community Support for Development (CSD) in Kisumu, reached the highest number of beneficiaries as a result of conducting its activities at the start of year 2020 and was able to implement almost all activities in its workplan before the outbreak of the COVID-19 pandemic. Overall, the project reached more females than males, which is commendable since traditionally women are more marginalized than men in the targeted counties. Graph below shows the number of direct beneficiaries by county.

Graph 4: Direct beneficiaries by county



During the period under review Amkeni supported Implementing Partners (IPs) conducted trainings on knowledge of citizenship rights, the Huduma Bill and Access to justice for SGBV survivors. This is because the funded IPs sought to promote realization of human rights and therefore citizens' knowledge on citizenship and the Huduma Bill was foundational to the achievement of this goal. The implications of the above results in relation to achievement of Amkeni thematic goal are further analyzed in the next section. The section below highlights how the key strategic interventions contributed to the achievements of the results summarized in graph 4 above:

**Capacity to access to justice for 1,560 PWDs and the Indigent Population enhanced in target counties:**

During the period, KUB set the framework and structure for effective provision of legal aid to PWDs through entering into a collaborative memorandum of understanding with Kituo cha Sheria for pro bono legal services and referral for legal aid services. This collaborative legal aid framework was supported by a pool of 24 community-based paralegals who were trained through this framework. The framework also created the requisite awareness of the legal aid collaboration between KUB and Kituo cha Sheria through 17 legal aid awareness clinics at the ward level. 1,360 persons with disabilities and caregivers were made aware of the legal aid framework and how to use the framework to access justice.

HAKI Africa conducted a legal aid clinic in Bombolulu with over 200 bodaboda operators and community members participating in the clinic. The community was able to access free legal services from 10 advocates who attended the clinic. HAKI Africa through the activity undertook 9 cases under pro bono from the invited advocates. Additionally, HAKI Africa conducted a community paralegalism meeting in Kisauni in partnership with Mombasa Social Justice Centre.

### **Capacity of PWDs to access to basic rights to in Nairobi County enhanced:**

This was achieved by employment of a combination of awareness creation strategies on the rights of persons with disabilities where KUB reached 116,692 persons directly and care givers through 83 dissemination forums. A total of 1,388,333 were reached indirectly with legal aid awareness through 4 radio breakfast shows. Social Media Platforms (twitter and facebook) used, reached out to over 28,540 with posts amplifying KUB points of discussions in the radio shows. PWDs in Nairobi reached by the project used the knowledge acquired from the intervention to demand services from the government. PWDs demanded for registration of services from the National Council for Persons with Disabilities (NCPWD) at the community level. The council responded by conducting mass registration of PWDs in Nairobi informal settlements (Dandora and Mathare areas of Nairobi). This means that PWDs can now access essential services from the government<sup>33</sup>

### **Enhanced knowledge on sexual and reproductive human rights (SRHR) among 1600 persons with disability in Muranga and Laikipia counties:**

FEDWEN launched a training and awareness using visual aids on Sexual Reproductive Health (SRH) campaign program where deaf learners received training and teachings on the abuse of these rights in Murang'a and Laikipia counties.

These interventions enhanced knowledge on human rights among the learners. The project reached a total of 8 schools and 1,600 learners through "Reach a Girl" club. The learners were trained on how to express themselves through skits and plays and in the process, they were able to elaborate the challenges they faced at home. Additionally, through using visual aids and the "Reach a Girl" club, videos on sexual



*Photo 1: Use of Visual tools by FEDWEN: A deaf adolescent girl demonstrating how to correctly wear a pad and its disposal using a doll.*

<sup>33</sup> Bursaries, trade support, mobility and accessibility aids, health covers for persons with severe disabilities as well as other social protection benefits

reproductive health signs were developed and assisted the healthcare workers and police. This improved service provision to the deaf youth.

### **Capacity of 60,000 vulnerable women to access Universal Health Care (UHC) services in Kisumu County enhanced:**

CSD Kisumu in Kisumu county conducted trainings to 51 outstanding UHC champions from four (4) targeted wards. Additionally, 4 county officials were capacity built on the budget making processes, budget follow ups, social audit and the establishment of a strong and active women health platform. This enhanced follow up and oversight of the Primary Health Care (PHC) program with focus on Universal Health Coverage especially on free maternity. Through the trained UHC champions, advocacy and voices towards health rights in the primary health care within the grassroots setups in Kisumu County was enhanced. The project reached a total of 60,000 local women.



*Photo 2: Training of UHC Champions in Kisumu County.*

CSD Kisumu engaged a team of researchers who reviewed the constitutional, legal and institutional framework for the primary health care funding in Kenya and role of the community in budget making and responsibilities of the county government on primary health care services in Kenya. The findings of this research were validated through a peer review meeting and a final report was developed. The final report was adopted to develop the UHC training manual and relevant IEC materials that were produced and disseminated to the indigent population.

**Enhanced monitoring and response to human rights violations related to COVID-19 restrictions:** Kenya Union of the Blind (KUB) Secretariat and Media partners facilitated a fact-finding mission on the impact of COVID-19 to the visually impaired persons within the Nairobi Metropolitan area. The objective of the fact-finding mission was to establish how the measures put in place to curb COVID-19 disease were affecting accessibility of the visually impaired to basic supplies. The fact-finding mission also identified the visually impaired persons for linkages with the social protection program run by the Ministry of Labor and social development where PWDs were referred/linked with COVID-19 relief programs in Nairobi Metropolis. HAKI Africa released the state of human rights report at the Coast during COVID -19 dubbed *Wapwani lives matter*. This increased the knowledge base on human rights violation in the Coastal region of Kenya.

CSO Reference Group (CSRG) repurposed their grant resources to support the monitoring of human rights violations during COVID-19 restrictions. CSRG identified, trained and deployed 10 monitors in five counties and thus, was able to identify and refer for action, 30 cases of violations reported within the target area. In Turkana County, TUBAE implemented a similar intervention and was able to report and refer for action, 47 cases of violations between March and May 2020. Out of the reported cases, 21 were addressed through alternative dispute resolution while the rest (involving police actions) were referred to relevant authorities. CRECO deployed 42 monitors in 10 Counties to monitor government response to COVID-19 and emerging rights concerns.<sup>34</sup> As a result, CRECO was able to identify issues relating healthcare provision, violation of civil rights and loss of livelihoods. CRECO developed legal and policy advisories which formed the basis of

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<sup>34</sup> Target counties included Nairobi, Machakos, Busia, Kajiado, Kilifi, Mombasa, Kakamega, Kisumu, Homa Bay, and Nakuru

CSOs advocacy efforts for rights-based response by Government at both levels (national and county). The Monitoring reports are being used by CRECO for continued advocacy during this period of the COVID-19.<sup>35</sup>

In Nairobi County, the Nubian Rights Forum (NRF) provided legal aid, psychosocial support and referral services to 30 survivors of SGBV in Kibra sub county.

**Enhanced Social Accountability for realization of basic rights through grassroots mechanisms in Turkana County:** In Turkana County, TUBAE set up and operationalized a citizen-driven social accountability desk. The desk sought to collect and analyze public complaints over poor service delivery by respective county authorities for remedial action. As a result, 27 cases were reported at the social accountability desk, and were referred to the Ethics and Anti-Corruption Commission. To publicize the existence and operations of the Desk, TUBAE organized an intensive media campaign using social media and local radio stations. As a result, residents in 24 wards of the County were reached with information making citizens more pro-active in the budget making process. Additionally, the citizenry was able to develop 27 memorandums which were presented to the Turkana County Assembly as well as 97 citizen driven social audit projects. This enhanced accountability among the duty bearers to the electorate.

In addition, TUBAE formed and operationalized a CSOs- Turkana County Assembly Network. In this venture 2 engagements between CSOs, Executive and Turkana County Assembly on budget and audit reports were organized successfully. This made the budget making process more transparent and enhanced accountability at the level of the Turkana county assembly and the Turkana county executive.

**Output 1.2: Enhanced Access to justice for the marginalized and vulnerable communities using innovative CSO approaches**

The results reported under this output were achieved through the interventions of grantees implementing the PLEAD Programme, with funding from the European Union. These interventions are under the Result Areas 1 and 2 of the PLEAD log-frame.

UNDP defines access to justice<sup>36</sup> as the ability of people to seek and obtain a remedy through formal or informal institutions of justice, and in conformity with human rights standards. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable.

During the reporting period, Amkeni Wakenya provided grants to 31 Non-State Actors (NSAs) to provide Legal Aid Services in a bid to strengthen access to justice to the marginalized and vulnerable communities in the 12 focal counties. The PLEAD- supported NSAs used a variety of interventions to improve access to justice, reaching **354,169(143,739M 210,430F)** direct beneficiaries against a target of 172,855 (98,883F; 73,972M) and an estimated **4,988,917** indirect beneficiaries with legal aid and assistance. This accounted for an estimated **36.2%** of the total population in the 12 target PLEAD counties. Below is a summary of the above stated outreach.

*Table 4: Number of beneficiaries reached per county*

| County | Males | Females | Total Indirect | Grand Total of Beneficiaries | KNBS County Pop. Data | % Reached |
|--------|-------|---------|----------------|------------------------------|-----------------------|-----------|
|        |       |         |                |                              |                       |           |

<sup>35</sup> <https://drive.google.com/file/d/1M-bglT5ngirpVP4w7TO3UoYfluYoP9Om/view>

<sup>36</sup> See: *Programming for Justice: Access for All – A Practitioner’s Guide to a Human-Right Based approach to Access to Justice.*

|                    |                |                |                  |                  |                   |                |
|--------------------|----------------|----------------|------------------|------------------|-------------------|----------------|
| Garissa            | 3,961          | 4,041          | 4,514            | 12,516           | 841,353           | 1.487604       |
| Isiolo             | 10,865         | 7,319          | 21,812           | 39,996           | 268,002           | 10.38574       |
| Kisumu             | 5,019          | 9,615          | 107,000          | 121,634          | 1,155,574         | 10.52585       |
| Lamu               | 900            | 696            | 5,500            | 7,096            | 14,3920           | 4.930517       |
| Mandera            | 1,577          | 1,911          | 250,312          | 253,800          | 867,457           | 29.25793       |
| Marsabit           | 62,117         | 133,748        | 120,000          | 315,865          | 459,785           | 68.69841       |
| Mombasa            | 3,592          | 2,012          | 5,842            | 11,446           | 120,8333          | 0.947255       |
| Nairobi            | 3,813          | 5,603          | 1,374,970        | 1,384,386        | 4,397,073         | 31.47917       |
| Nakuru             | 1,048          | 1,258          | 1,910,000        | 1,912,306        | 2,162,202         | 88.44252       |
| Tana River         | 529            | 399            | 46,242           | 47,170           | 315,943           | 14.92991       |
| Uasin Gishu        | 40,651         | 38,607         | 649,000          | 728,258          | 1,163,186         | 62.6089        |
| Wajir              | 9,667          | 5,221          | 139,556          | 154,444          | 781,263           | 19.7685        |
| <b>Grand Total</b> | <b>143,739</b> | <b>210,430</b> | <b>4,634,748</b> | <b>4,988,917</b> | <b>1,3764,091</b> | <b>36.1559</b> |

**PLEAD Output 1.1: Non-State legal aid providers supported to provide legal aid and awareness in 12 counties (5 urban counties and 7 marginalized counties).**

During the reporting period, 31 non-state actors (NSAs) supported by Amkeni Wakenya continued to implement access to justice programs across the 12 focal counties. The NSA grantees played a major role in education and outreach by making available to the public, simplified and user-friendly legal information and resources while also expanding community outreach through existing grassroots structures and media initiatives. The CSOs acted as direct agents helping beneficiaries access justice through legal aid and representation services for the targeted marginalized and vulnerable persons. The CSOs also played advocacy roles by pressing for reforms and fostering accountability within the justice sector.

During the reporting period, the NSA grantees used the following interventions in the bid to strengthen access to justice to the marginalized and vulnerable persons in the 12 focal counties:

- a) ADR and AJS mechanisms strengthened in the target counties: Five (5) ADR structures across six counties were strengthened through training of council of elders and development of ADR prototype bills submitted to county governments for assent.
- b) Paralegal capacities strengthened for provision of legal aid. 338 (197M; 141F) paralegals were trained on effective legal aid provision.
- c) Increased access to information on justice and human rights for the poor and marginalized.
- d) Enhanced provision of legal aid through legal aid clinics and embedded legal aid & information centers.
- e) Production and dissemination of Information, Education and Communication (IEC) materials on the Legal Aid Act and other Legal Policy frameworks;
- f) Increased access to justice through innovative approaches during the Covid-19 lockdown period and beyond

- g) Providing safe spaces for psychosocial support for survivors of various social challenges
- h) Establishment of regional Communities of Practice and strengthening Knowledge networks.
- i) Enhancing capacity of duty bearers on legal aid and ADR systems to strengthen partnerships between duty bearers and right holders.

Below is a summary of legal aid statistics from the PLEAD supported CSOs as well as a discussion of the above-mentioned interventions.

*Table 5: Non-State (IPs/CSOs) legal aid providers supported to provide legal aid and awareness*

| Name of CSO      | Males Reached | Females Reached | Sum of Total Beneficiaries Reached |
|------------------|---------------|-----------------|------------------------------------|
| ALCHA            | 7,180         | 4,982           | 12,162                             |
| ALDEF            | 8,243         | 4,305           | 12,548                             |
| ASK              | 155           | 69              | 224                                |
| CEDGG            | 412           | 503             | 915                                |
| Chanda Chena     | 172           | 70              | 242                                |
| CHRM             | 40,291        | 38,334          | 78,625                             |
| CIPK             | 1,388         | 2,019           | 3,407                              |
| CREAW            | 2,160         | 4,908           | 7,068                              |
| CSO Network      | 1,575         | 1,819           | 3,394                              |
| Egerton          | 636           | 755             | 1,391                              |
| FADC             | 94            | 80              | 174                                |
| FONI             | 1,625         | 598             | 2,223                              |
| HURIA            | 958           | 985             | 1,943                              |
| KASH             | 3,444         | 7,796           | 1,1240                             |
| KECOSCE          | 357           | 329             | 686                                |
| KELIN            | 66            | 55              | 121                                |
| Kituo Cha Sheria | 2,044         | 716             | 2,760                              |
| KYBI             | 900           | 696             | 1,596                              |
| LRF              | 1,294         | 400             | 1,694                              |
| MUHURI           | 590           | 311             | 901                                |
| NAPD             | 1,483         | 1,831           | 3,314                              |
| PASUNE           | 138           | 171             | 309                                |
| RDI              | 1,136         | 732             | 1,868                              |
| SAF-PLEAD        | 62,117        | 133,748         | 195,865                            |

|                    |                |                |                |
|--------------------|----------------|----------------|----------------|
| SUPKEM             | 1,929          | 1,710          | 3,639          |
| SWT                | 2,060          | 1,739          | 3,799          |
| T. I               | 360            | 273            | 633            |
| WOKIKE             | 644            | 312            | 956            |
| WWFP               | 288            | 184            | 472            |
| <b>Grand Total</b> | <b>143,739</b> | <b>210,430</b> | <b>354,169</b> |

Saku Accountability Forum (SAF) and Center for Human Rights and Mediation (CHRM) recorded the highest outreach. This is attributed to the fact that the grantees had already established legal aid infrastructure (paralegals) through previous projects and hence were able to “hit- the- ground- running”. This also highlights the level of demand for legal aid by the residents.

More specifically, the following results under the established interventions were achieved:

**ADR and AJS Mechanisms strengthened in the target counties:** Informal justice systems such as ADR and AJS serve as a complement to the formal justice processes and remain the most sought-after alternatives by poor and marginalized populations. During the reporting period, **207 cases** in target counties were solved through existing ADR structures supported under the Programme and the beneficiaries from these cases indicated that ADR reduced linguistic and cultural barriers during dispute resolutions. The involvement of mediators from the community, made it easy for disputing parties to trust the AJS resolutions compared to decisions made by judges in the formal system. ADR Mechanisms were largely used in Tana River, Uasin Gishu, Kisumu and Garissa counties to solve and mediate disputes. Related to this, Womankind Kenya (WOKIKE) in Garissa county supported drafting of the Garissa County policy and legal framework on the use of ADR and traditional dispute mechanism. Womankind Kenya in collaboration with other Non-State Actors in Garissa County have been pushing the County assembly to enact it as a Bill for public participation and legislation, and for the County assembly to allocate annual funds for the ADR sustainability.

Following is a brief outline of how many cases were resolved by the existing ADR units in Tana-River, Uasin-Gishu and Garissa Counties;

- 46 Kipgaa elders trained and supported by the Center for Human Rights and Mediation (CHRM) in Uasin-Gishu County, were able to resolve over 40 cases brought unto them by the community members. The elders were also trained on case documentation and succession rights and supported by paralegals

#### CHRM’s Kipgaas’ Results

- 18 land disputes successfully resolved
- 1 assault matter successfully resolved
- 21 family disputes-19 successfully resolved and 2 referred for further intervention through the Court system



- Nomadic Assistance for Peace and Development (NAPAD) in Mandera County conducted four (4) training sessions on ADR mechanisms to council of elders and religious leaders. A total of 50 elders and leaders were trained on the ADR mechanisms thus boosting their capacities to solve disputes fairly and justly.
- Supreme Council of Kenya Muslim (SUPKEM) in Garissa County trained 12 units of ADR providers who have thus far documented and resolved 167 cases. SUPKEM conducted consultative meetings between the ADR providers and the Chiefs to sensitize them on how to document cases as well as strengthening the links between them.
- Kenya Community Support Centre (KECOSCE) held and facilitated five (5) meetings with the council of elders in Tana-river County to help resolve conflicts between Orma and Pokomo villagers over the boundary conflicts of a Cemetery. This conflict was successfully resolved through mediations between the council of elders.



Photo 3: Engagements with ADR units in Garissa County by SUPKEM

**Capacity of 1,362 Paralegals and community-level justice actors strengthened to enhance access to justice and for provision of effective legal education:** The PLEAD grantees were able to achieve this through training community volunteers as paralegals (Community Paralegals, Religious Leaders and Council of Elders) to strengthen legal awareness in their communities. The paralegals were drawn from the existing community justice structures as this would help them build rapport and trust as they inform individuals in their community on rights and how to advocate for their needs (legal empowerment). The trained paralegals and elders played an important role in bridging the gap between the community and the formal and informal justice system and performed a variety of roles related to legal advocacy.<sup>37</sup> Below is a representation of how paralegals were trained across the target counties:

| County  | Male Paralegals | Female Paralegals | Council of Elders | Religious Leaders | Impact of the Paralegals   |
|---------|-----------------|-------------------|-------------------|-------------------|--|
| Nairobi | 19              | 18                | 61                | 15                | Legal Aid Regulations and modules on Land law drafted, Environment and Natural resources management, Migration Law and Human Rights Institution Building |
| Lamu    | 46              | 40                | 42                |                   | Trained paralegals by MUHURI across Lamu County provided legal aid advice and support to approximately 271 cases/ community members. Nature of cases     |

<sup>37</sup> Enhanced legal awareness, provide handheld support to clients in the access to justice pathways, provided referrals as required, watch brief in court and participate as observe, filled reports and petitions with ODPP and other NHRIs where cases have stalled, mediated and negotiated during justice administration

|                     |            |            |             |             |  |
|---------------------|------------|------------|-------------|-------------|--|
|                     |            |            |             |             | handled ranged from land, SGBV, wild-life-human conflict and assault among others.   |
| Uasin-Gishu         | 19         | 11         | 88          | 8           | Documentation, International HR standards to be observed during their mediation sessions to avoid issues of bias towards women and children while mediating cases was done.  |
| Marsabit            | 3          | 3          | 50          | 100         | The trained community gatekeepers were introduced to Wajir Court Users Committees as members representing their respective community for the three-sub county as such could sit into CuC meetings as observers                     |
| Garissa             | 39         | 20         | 72          | 110         | The trained paralegals conducted awareness activities to enhance understanding on access to justice and human rights among 200 inmates in Garissa prison.  |
| Mombasa             | 28         | 30         |             |             | The paralegals in prisons and community justice centres served over 520 people 267 of whom were men while 253 were women.  |
| Tana-River          | 19         | 14         | 78          | 25          | The community paralegals in turn sensitized the public on the bill of rights and Legal Aid Act reaching out to over 343 beneficiaries. Thus, enhancing target community's knowledge on the legal aid act.                          |
| Isiolo              | 13         | 4          | 784         | 1362        | The activity also resulted to successful mediation on boundary, land, family, civil and other resource related conflicts and cases across the 5 wards.   |
| Wajir               | 11         | 1          | 24          | 6           | The 9 paralegals trained reached over 750 minority members with legal information and still creating awareness among the minority groups on the value of accessing justice for any human rights violations committed against them. |
| <b>Grand Totals</b> | <b>197</b> | <b>141</b> | <b>1202</b> | <b>1626</b> |  |

Notably, most beneficiaries preferred the use of community paralegals in their quest for justice as community paralegals were seen to mitigate obstacles that impede access to justice mechanisms with the main one being that they do not charge fees like lawyers. This therefore calls for the need of increasing financial sustainability for engaged paralegals across the 12 focal counties by PLEAD grantees to sustain these paralegal training programs. However, despite the fact that paralegals were noted to be a major breakthrough in strengthening the existing community justice structures, their informal status of work was observed to complicate their ability over advocating for formal recognition through the accreditation process provided for under the Legal Aid Act of 2016.

**Increased access to information on justice and human rights for poor and marginalized:** PLEAD grantees conducted Workshops, Public Forums, Informal Meetings/Discussions, Face to Face

Consultations and media Initiatives to increase awareness<sup>38</sup> on access to justice to the indigent citizens. These strategies reached out to a total of **341,783 (143,739M; 210,430F)** individuals directly and **4,634,748** individuals indirectly. Below is a summary of how the above strategies were used by PLEAD grantees across the target counties.

*Table 6: Strategies used by Amkeni Wakenya IPs to enhance awareness on access to justice and human rights*

| Name of County     | Sum of Workshops | Sum of Public Forums | Sum of Legal Aid Clinics | Sum of Face to Face Consultations | Sum of Informal Meetings | Sum of Media Initiatives |
|--------------------|------------------|----------------------|--------------------------|-----------------------------------|--------------------------|--------------------------|
| Garissa            | 12               | 20                   | 4                        | 34                                | 19                       | 5                        |
| Isiolo             | 18               | 30                   | 12                       | 217                               | 29                       | 20                       |
| Lamu               | 9                | 4                    | 0                        | 0                                 | 3                        | 5                        |
| Marsabit           | 0                | 2                    | 0                        | 12                                | 4                        | 11                       |
| Mombasa            | 11               | 20                   | 19                       | 17                                | 36                       | 10                       |
| Nairobi            | 15               | 48                   | 47                       | 11                                | 12                       | 24                       |
| Tana-River         | 9                | 6                    | 20                       | 3                                 | 6                        | 21                       |
| Uasin Gishu        | 4                | 9                    | 8                        | 2,666                             | 2                        | 13                       |
| Wajir              | 10               | 8                    | 200                      | 7                                 | 3                        | 8                        |
| <b>Grand Total</b> | <b>88</b>        | <b>147</b>           | <b>310</b>               | <b>2,967</b>                      | <b>114</b>               | <b>117</b>               |

Through the intensive efforts of MUHURI to provide awareness on legal aid and human rights, the community members of Mokowe in Hindi ward conducted a mass civic action demanding the county government to address the problem of water shortage.<sup>39</sup> Through this mass civic mass action, the county responded by dispatching water bowsers to Mokowe residents as well as allocating twenty million Kenya shillings in its FY 2020/21 county budget to erect a water desalination plant as a long-term solution to the water crisis.

Center for Enhancing Democracy and Good Governance (CEDGG) in Nakuru County conducted community awareness platforms for special interest groups in partnership with a religious institution targeting PWDs. These forums provided a safe space for beneficiaries from different and diverse backgrounds to express their views about important issues of concern and what could be done about them. Through these forums, the religious institutions provided feedback and information to PWDs on relevant institutions that offered social protection support to vulnerable groups, especially during COVID-19 crisis period. The platform reached over 295 PWDs (101 male; 194 female), 125 caregivers (26 male; 104 female),

<sup>38</sup> Beneficiaries were empowered on the abilities to engage effectively with the duty bearers in demand for better services and to make use of ADR as alternative forms of access to justice as well as their abilities to access the courts and self-representation in formal courts, legal aid, litigation and court procedures (filing, statement of witnesses, plea bargaining, case mention, case prosecution, case hearing and defense and legal representation)

<sup>39</sup> <https://www.nation.co.ke/kenya/counties/lamu/lamu-residents-hold-demos-over-prolonged-water-shortage-256784>

48 minors (22 male;26 female) and 44 youths (21 male;23 female). Additionally, 120 community members were also reached representing Resident Associations drawn from Nakuru West Sub-County.

Wajir Women for Peace (WWFP) in Wajir County conducted two (2) workshops on Gender Responsive Alternative Dispute Resolution with an objective of contributing to the dialogue around ADR in Wajir and in the context of Somali community. The forum specifically identified how ADR could be more responsive to the gender dynamics of the county and ensure equal access to justice for all. The workshop focused on the discussions on cases involving rape and domestic violence, covering both civil and criminal justice cases. These two types of cases were selected because cultural practices of communities in Wajir on resolving SGBV cases conflicted with the existing legal framework on SGBV, and to the disadvantage of women. The forum trained 60 council of elders, religious leaders and women on human rights and gender sensitive ADRs. At the end of the training, the participants felt empowered to examine SGBV cases carefully and refer serious cases to authorities for remedial actions.



Photo 4: Workshop on gender responsive ADR held in Wajir County

CSO Network in Kisumu County conducted 12 radio shows with different groups of panelists drawn from the justice and policing sector. The radio talks educated citizens on legal aid act in the context of Covid-19 response. The discussions were geared towards self-representation and GoK Covid-19 containment measures. The radio awareness sessions resulted in resolution of 3 cases of land disinheritance by in-laws; resolution of over 58 cases involving youths who had been arrested as a result of COVID-19 restrictions; 12 cases of men running away from their family due to inability to provide for basic needs; 37 cases of gender based violence reported mostly in the informal settlement of Kisumu and 14 cases of families sent out of their rental houses due late or not paying rent.

Nomadic Assistance for Peace and Development (NAPD) in Mandera County conducted four (4) legal aid awareness and promotion caravans in Neboi, Township wards of Mandera East subcounty and Ashabito and Rhamu wards of Mandera North sub County respectively. A total of 520 persons were reached and sensitized on information about legal aid and how they can access legal aid services as well as use of various Alternative Justice Systems in resolution of disputes.

Friends of Nomads International (FONI) in Isiolo County conducted five (5) legal aid awareness forums to create and enhance awareness on the legal aid act. The forums conducted reached to 510 (327 M; 193 F) beneficiaries disaggregated by men, women, youth, Persons with Disabilities, Pastoralists and the aged. The beneficiaries were taught on legal aid, litigation and court procedures which included filing, statement of witnesses, plea bargaining, case mention, case prosecution, case hearing and defense and legal representation. The participants felt empowered to render legal advice and in limited instances, represent aggrieved persons before informal dispute resolution mechanisms.

Other notable outreach activities conducted by the during the reporting period CSOs are tabulated below;

| Name of CSO | Awareness Strategy Used | Beneficiaries Reached          | Topics discussed during the activity          | Impact created on general population  |
|-------------|-------------------------|--------------------------------|---|---|
| CIPK        | Workshop                | 20 people living with HIV/AIDS | Access to legal knowledge, administration and | The workshop acted as a platform for sharing and disclosing on their status |

| Name of CSO        | Awareness Strategy Used                   | Beneficiaries Reached   | Topics discussed during the activity  | Impact created on general population  |
|--------------------|---|---|---|---|
|                    |   |   | access to Justice, information  | and the experience they go through while accessing services in the county.  |
| SWT                | 2 Radio Shows<br><br>3 public forums      | 21,812 individuals reached indirectly<br><br>900 individuals reached directly | Legal Aid Act   | Understanding of legal aid act to local community was enhanced.<br><br>Local community sensitized on available access to justice avenues.   |
| RDI                | 8 Radio Shows                             | 139,556 citizens reached indirectly   | Legal awareness, access to and administration of justice to minorities and indigenous groups            | The radio shows provided a platform to share their struggles and challenges while accessing GoK services. RDI provided relevant referrals to citizens with relevant duty bearers.                                 |
| SAF                | 11 Radio Shows<br><br>610 Radio snapshots | 80,000 members of the public  | Information on human rights and access to justice, bail and bond policy                                 | Women in Marsabit county sensitized on ways to access to justice.   |
| CLEAR Kenya        | 3 Radio Shows                             | 3,000 community members   | Provision of legal aid in the context of legal aid act of 2016  | Information on legal aid provision with a main focus on child abuse and provided contact referrals to relevant stakeholders who deal with child abuse cases.  |
| KECOSCE            | 10 Public Announcements                   | 46,242 individuals reached indirectly   | Legal Aid Act and Services offered by Legal Aid Information Centre                                      | Community members sensitized on the importance of the Legal Aid Information Centre.   |
| NAPD               | Public Forums in 8 schools                | 800 youths in school  | Child protection rights   | Pupils taught on legal issues affecting them and existing avenues that could be used to address the issues.   |
| Egerton University | Workshop                                  | 61 women leaders trained  | Legal Aid Act;<br><br>Human Rights Based Approach (HRBA);<br><br>How to identify and report violations. | Women leaders were exposed to issues of human rights, gender considerations and Alternative Dispute resolution leading to increased awareness and demand for human rights and freedoms by women in Nakuru County. |

| Name of CSO | Awareness Strategy Used    | Beneficiaries Reached              | Topics discussed during the activity               | Impact created on general population   |
|-------------|----------------------------|------------------------------------|--|--|
| SUPKEM      | Public Forums              | 3,639 individuals reached directly | Legal Education                                    | The citizens were capacity built on legal policies and best way to help the poor and marginalized to access justice. |
| CHRM        | Face to Face consultations | 517 widows trained                 | Self-representation in courts<br>Succession rights | Women trained on how to deal with cases on succession  |

### Enhanced provision of legal aid through legal aid clinics and embedded legal aid & information centers

In the target counties, it was observed that only a small percentage of those who need legal aid have access to it as lawyers who are considered to be the main legal aid providers are oftentimes neither available nor affordable. Access to legal aid by citizens in these counties is not only affected by financial status of the citizens but also by their inability to exercise their rights as they are not fully connected to state justice actors responsible for protecting their rights. This 'exclusion', is both cause and consequence of a number of factors.

During the reporting period, PLEAD grantees implemented programs that promoted better access to courts, legal representation and alternative dispute resolution mechanisms. In regards to this, the CSOs conducted over 310 legal aid clinics where paralegals assisted 3,748(1,252M;2,496F) citizens, provided legal representation to six (6) cases, conducted 1 mobile court session, assisted 94 beneficiaries through pro-bono advocates and established eight (8) legal aid centres across Tana-River, Mombasa, Isiolo, Wajir, Nairobi and Nakuru counties. Below is a summary of results achieved under this area;

**CSO Network in Kisumu County** conducted 3 free community legal aid clinics which attracted 128 participants. The beneficiaries from these clinics reported cases on land rights, labor rights violations by security firms and private companies and property destruction by police during relocation of traders in Kibuye Market, Kisumu County. As a result of this, CSO Network helped the beneficiaries draft complaints against the labor rights violations as well as filing motions against relocation of traders by the police where Kisumu County Board was barred from moving/relocating traders from Kibuye Market.



*Photo 5: During a legal aid clinic session conducted by CSO Network in Kisumu County*

**In Nairobi County, Centre for Rights Education and Awareness (CREAW)** conducted legal aid clinics with support from law students from local universities. CREAW launched a toll-free call services on legal and tele-counselling services during COVID-19. A total of 3,477 people (981 M, 2,496 F) have benefitted from pro-bono legal services including pro bono legal assistance, advice and representation in Court on various forms of Violence Against Women and Girls (VAWG). This yielded a notable improvement in access to timely legal aid services and legal information for vulnerable urban women and girls in the informal settlements.

**Legal Resource Foundation (LRF) in Nairobi County** provided legal aid services to 75 pre-trial detainees through its pro-bono lawyers. LRF assisted the detainees in drafting plea agreements in their ongoing

cases. This was driven by the ongoing campaign of decongesting the detention facilities all over the country. LRF also provided legal presentation to six (6) cases through plea agreements. The cases were picked based on probability of conviction if trial were to run its full course, the accused had committed the offence, accused pleaded guilty to the charge. LRF intends to upscale representation by working with pro-bono advocates to take up legal representation in plea agreements. It also seeks to revamp its pro-bono lawyer's database and engage the pro-bono lawyers to develop a clear strategy for the cases to be picked for representation.

**Samburu Women Trust (SWT) in Isiolo County** partnered with the Isiolo Law Court to conduct a mobile court session. This was to assist SWT in achieving its planned facilitation of quarterly session in its project areas with an aim of strengthening and improving service delivery by state to its citizens.



Six PLEAD grantees (CEDGG, LRF, ALDEF, FONI, KECOSCE and HURIA) established legal aid and information centers as physical spaces where paralegals provided legal aid and assistance to target populations;

*Photo 6: Mobile court session held in Oldonyiro ward*

| Name of County    | Number of Legal Aid Centers Established | Nature of services provided at the Legal aid Centre during the reporting period  |
|-------------------|---|--|
| Nakuru County     | 1                                       | Legal advice on assault cases, child maintenance & child abandonment cases, succession cases, land/property disputes /eviction cases, accident claims, advocate client's complaints, marital problems and land and property disputes cases. The Centre has also been acting as referral pathway whereby it has referred some these cases to Independent Police Oversight Authority (IPOA), Land Registry and NLAS for mediation. |
| Nairobi County    | 1                                       | The Justice Advisory Centre is expected to contribute to access to legal aid to community members in Starehe Sub-County in Nairobi County. The centre's real impact will be documented in the next reporting period  |
| Wajir County      | 3                                       | Legal information centers have helped enhance partnerships between National Government the County Government, Police, Judiciary and the local community.   |
| Isiolo County     | 1                                       | Legal education provision to the local community members on women and property rights, access to justice, sexual offences, Female Genital Mutilation (FGM), alternative justice system, formal justice systems and constitution topics   |
| Mombasa County    | 1                                       | This unit has a projection of going a long way in assisting the Judiciary to improve on the delivery of justice to the citizens of Mombasa County.   |
| Tana-River County | 1                                       | Legal aid awareness provision and legal aid provision in partnership with the Law Society of Kenya lawyers and Judges at Garsen Law Courts.  |

**Information, Education and Communication (IEC) materials on the Legal Aid Act produced and other Legal Policy Frameworks:** PLEAD grantees designed and developed 57,638 specific IEC materials on specific topics targeting specific groups. The IPs then embarked on dissemination of these materials and ensured ease of access by targeted audiences. Through proper distribution networks of these IEC materials, the IPs were able to achieve the vital role of improving and strengthening access to justice by citizens in the targeted counties. Dissemination of these materials was also done via social media which was noted to be a good option for the youth while use of materials with simple language with more graphics were found to be more appropriate for citizens with low literacy levels.

Below is a representation of the types of IEC Materials designed, developed and disseminated by UNDP Amkeni Wakenya IPs.

*Table 6: IEC Materials produced and disseminated by UNDP Amkeni Wakenya IPs*

| <b>IEC Materials</b>  | <b>Information disseminated by the IEC Material</b>   | <b>Copies produced and disseminated</b> |
|---|---|---|
| Paralegal Manuals   | Code of Conduct for Paralegals  | 450                                     |
| Banners   | Plead Program visibility information, ADR, Legal Aid and Assistance, Gender Based Violence, Covid-19 Awareness                                | 301                                     |
| Legal aid act booklets  | Legal Aid Act 2016  | 1,065                                   |
| Branded Items (Half coats, polo shirts, calendars, diaries, criminal trial, stickers, handbills and human rights posters, legal aid leaflets, Placards, Fact sheets | Summary of the criminal process, Legal Aid Information, Plead Program visibility information, Legal Aid and Assistance, Gender Based Violence | 36,973                                  |
| Project Briefs  | PLEAD program information   | 1,050                                   |
| Brochures   | Succession law, children rights and land rights   | 12,109                                  |
| Voluntary service charter   | draft code of conduct for PBOs  | 3,000                                   |
| Criminal Trial Process Booklets   | Criminal process procedures   | 282                                     |
| Publications  | How the Constitution of Kenya Protects HIV related rights   | 408                                     |
| Flyers  | FGM, Legal aid and assistance, ADR  | 2,000                                   |
| <b>Total IEC Materials disseminated</b>   |   | <b>57,638</b>                           |



**Increased access to justice through innovative approaches during the Covid-19 lockdown period and beyond:** During the reporting period, the COVID-19 pandemic forced the CSOs to shift to providing legal services and access to justice information remotely. Conducting these activities remotely was not only necessary for the needs of the citizens but also in the interest of public health and reducing the risk of infection. To counter this, PLEAD grantees developed remote approaches to provide legal services to the targeted citizens. During the reporting period, eight (8) innovative approaches were developed by the CSOs. These approaches are as discussed below;

**CREAW in Nairobi County** rolled out a Toll-free (0800720186) help line for the public to access timely legal aid services and legal information specifically vulnerable urban women and girls in the informal settlements during the pandemic period. A total of 597 GBV survivors benefitted from pro-bono legal assistance & advice during the pandemic period.

**Legal Resource Foundation (LRF) in Nairobi County** forged a partnership with Kenya Prison Service to facilitate virtual courts in prisons which enabled 564 pre-trial detainees at Nairobi Remand and Allocation Prison, Lang'ata Women and Kamiti Youth Corrective Training Centre access justice during the COVID 19 pandemic lockdown.

**Transparency International (TI) Kenya working in Uasin-Gishu County** streamlined case reporting channels and procedures and has introduced an Integrated Complaints Referral Mechanism<sup>40</sup> at County Level that covers Turkana, Uasin-Gishu, West-Pokot and Marsabit Counties. Case reporting via the platform has been modified and can be done County specific toll free SMS as well as through a designated email. The platform has thus far received total of 670 complaints, 300 of which were valid complaints while the rest were irrelevant complaints (junk).

**Kiunga Youth Bunge Initiative (KYBI) working in Lamu County** conducted four (4) social justice caravans in far-flung areas of Lamu County in partnership with the Office of Director of Public Prosecutions. The caravans reaching over 600 beneficiaries presented an opportunity for local communities to report incidences of human rights violations during enforcement of COVID-19 directives and seek the necessary reprieve. KYBI also supported and worked with three youth groups in Lamu to write, direct and disseminate five theatricals<sup>41</sup> skits and one short-length feature film on human rights violations. Additionally, KYBI worked with key youth network leaders and grass root justice defenders in the Lamu mainland to start a campaign dubbed '*Usafi maskani, haki mashinani,*' to ensure a

### KASH PATA HAKI APP INCREASING ACCESS TO LEGAL AID

Keeping Alive Societies' Hope (KASH) working in Kisumu County developed mobile application to help ease the reporting of grievances by the poor and vulnerable. This app aims at enhancing access to justice and realization of human rights by thousands of sex workers, men who have sex with men, and other vulnerable members of the community.

**Pata Haki** ("*Realize Your Rights*") seeks to ease the reporting of grievances by the poor and vulnerable in Kenya to enhance their access to justice and realization of human rights. The app provides the following services: (a) Toll-free hotline, (b) Free emergency SMS, (c) Legal empowerment, (d) Legal advice and aid, (e) Downloadable P3 form, (f) Clinical advice, and (g) Directory/pathway to legal/justice and health support.

<sup>40</sup> <http://www.haipcrm.com/>

<sup>41</sup> <https://linkmix.co/2721534>

just response to the pandemic – one that respects human rights and democratic principles. KYBI worked with three youth CBOs to build their capacity to monitor and report human rights abuses and other injustices that arise under quarantine and curfew situations and to play a role in improving the accountability and effectiveness of COVID-19 response programs –including monitoring of relief food distribution by other actors.

**Supreme Council of Kenya Muslim (SUPKEM) in Garissa County** established ward based legal education sessions provided by 14 community paralegals that reached 8,345 citizens with relevant legal education and supported 29 community members to access justice.

**MUHURI working in Lamu County** introduced Street Law Programmes<sup>42</sup>. Through these interventions, MUHURI was able to tap pro-bono legal services from lawyers to communities, and other state departments including land and gender offices.

**Centre for Enhancing Democracy and Good Governance (CEDGG) working in Nakuru County** established an incident reporting<sup>43</sup> tool for Human Rights Violations and digitized it to enable fast reporting, referral, and tracking of violation cases.

**Providing safe spaces for psychosocial support for survivors of various social challenges:** Sexual and Gender Based Violence, health problems and other social challenges have severe psychosocial consequences as the emotional wounds may be less visible and often take far longer time to recovery thus the need for early psychosocial support and adaptation processes. PLEAD grantees provided psychosocial support to **over 702** victims affected by various social challenges in the course of providing legal aid and assistance under this programme. Below are some notable achievements by CSOs during this reporting period;

**CSO Network in Kisumu County** partnered with Kondele Social Justice and Gender recovery Centre at Jaramogi Oginga Odinga referral and teaching Hospital to offer psychosocial counseling to over 36 (12 M; 24 F) victims suffering from stress related issues over losing their job due to the Covid-19 pandemic as well as the resultant abuse and pressure from their spouses. Through the social justice centers, 3 defilement cases, 7 matters of spousal neglect due to economic hardships, 15 gender-based violence matters out of which 6 were reported by men, 54 VAWG cases, were also documented. The project noted high rate of teenage pregnancy particularly from the informal settlements within Kisumu County.

**Center for Human Rights and Mediation (CHRM) in Uasin-Gishu County** engaged 35 Gender Based Violence Survivors and provided psychosocial support and counselling.

**Council of Imams and Preachers of Kenya (CIPK) Garissa County** conducted two mentorship sessions and supported a coaching club for the People Living with HIV/Aids. These two platforms were used to provide emotional support to People Living with HIV/AIDS as well to increase their legal aid knowledge, administration and access to justice and information. A total of 3 cases were identified and referred for Alternative Dispute resolution at the Maslah Centers and 55 Persons Living with HIV/AIDS were provided with psychosocial support.

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<sup>42</sup> legal aid literacy clinics to create awareness on legal aid act and the AJS policy framework

<sup>43</sup> [https://docs.google.com/forms/d/1kcuxoAdqg5BTPnfrPoqRzqiXOTFg8EetKwh7D7X5oD4/viewform?ts=60083f4d&qxids=7628&edit\\_requested=true](https://docs.google.com/forms/d/1kcuxoAdqg5BTPnfrPoqRzqiXOTFg8EetKwh7D7X5oD4/viewform?ts=60083f4d&qxids=7628&edit_requested=true)

### **Establishment of regional Communities of Practice and strengthening Knowledge networks.**

During the reporting period, twelve (12) review meetings that served as knowledge sharing networks were conducted. These review meetings conducted were observed to channel effective participation where simple individual contributions were seen to easily turn into collective actions. Additionally, the knowledge sharing sessions also provided platforms for collaboration and fostering collective creativity and innovation. The following are some of the main results realized during the reporting period.

**Kenya Legal and Ethical Issues Network on HIV and AIDS (KELIN)** hosted a sensitization forum for the new members of the HIV and AIDS Tribunal<sup>44</sup> to improve their knowledge and strengthen their capacities on HIV, human rights and the law to enable them competently adjudicate on HIV-related cases. The most notable recommendations from the forum included: **a)** The need to increase awareness to the public about the Tribunal, **b)** Provision of counselling services for both tribunal members and their clients; **c)** Addressing accessibility by innovatively working with the Judiciary to increase access in other counties; and **d)** Reworking and simplifying processes within the Tribunal to ensure expedient and effective access to justice.

**Chana Chena CBO working in Tana-River County** conducted 3 roundtables meetings and 2 review meetings with the Court Users Committee on Legal Aid Act. This was in a bid to promote conversations on legal aid service provision by the judicial officers and stakeholders, towards responding to access to justice needs in Tana River and Tana North Sub-Counties. These roundtable discussions witnessed an attendance of 109(46M; 63F) participants.

**Legal Resource Foundation (LRF) in Nairobi County** held review meetings to check on the status of feedback and response mechanisms on legislative gaps to National Council for Administration of Justice (NCAJ) and National Legal Aid Services (NLAS). The review meetings recommended strengthening of community & detention facilities and Justice Advisory Centers as the focal points through which paralegals can offer legal aid.

**Nomadic Assistance for Peace and Development (NAPAD) in Mandera County** conducted four (4) review meetings during the reporting period to track the work and progress of the trained community councils of elders and religious leaders. The major outcome of these review meetings was that the trained elders were able to incorporate ADR mechanisms in resolution cases brought to them and that they were able to document these cases.

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<sup>44</sup> Established under Section 25 of the HIV Prevention and Control Act of 2006, the HIV and AIDS Tribunal of Kenya is the only HIV-specific statutory body in the world with the mandate to adjudicate cases relating to violations of HIV-related human rights. The Tribunal provides a unique legal avenue to address stigma and discrimination; and is an important institution in advancing the human rights and access to justice for the HIV and AIDS response in Kenya and in the long term, eliminate all forms of discrimination, stigmatization, bastardization and rights violations that result either directly or indirectly from HIV and AIDS.

**CSO Network in Kisumu County** conducted an end of year review with teams from CSO network, WCC and LSK Kisumu chapter, bringing in, Amkeni Wakenya and the National Gender Commission. Best practices and lessons learned were adopted and informed the activities of year two. Some of the key lessons learned and recommendations taken up included: The need for structured Legal Aid support to be provided to vulnerable groups on land rights- including support to documentation letters, need for more awareness on labor issues, how to strengthen grassroots/ community level partnerships; working with County Assembly committee on mending relationship of justice providers and the citizens they serve as well as gender mainstreaming ADR structures.



Photo 7: A review mentoring conducted by CSO Network in

**Enhancing capacity of duty bearers on legal aid and ADR systems to strengthen partnerships between duty bearers and right holders:** During the reporting period, over seven (7) partnerships<sup>45</sup> were forged with respective county governments to facilitate and boost provision of support through relief food, face masks and hand washing equipment to the mapped-most vulnerable members of the society. Also, partnerships with Gender Violence Recovery Centers were forged to provide psychosocial counselling and support to survivors of GBV. With respective Covid-19 measures put in place, Alternative Dispute Resolution sessions got phased out. This led to forging of partnerships with the Kenya Christian Lawyers Fellowship and courts, to form WhatsApp platforms that act as legal services emergency response channel. The following is a summary of results that were manifested during the reporting period:

| Name of CSO                            | Partner Institution  | County             |
|--|--|--------------------|
| Legal Resources Foundation (LRF)       | Nairobi Remand and Allocation Prison<br>Lang'ata Women Prison  | Nairobi County     |
| Human Rights Agenda (HURIA)            | Mombasa County Inspectorate Officers   | Mombasa County     |
| Transparency International (T.I Kenya) | Judiciary, Kenya Police Service and Law Society of Kenya in the North Rift   | Uasin-Gishu County |
| CLEAR Kenya Trust                      | National Legal Aid Service (NLAS)<br>Mombasa County Child Rights Network (MCCRN)   | Mombasa County     |
| CSO Network                            | Independent Policing Oversight Authority (IPOA)<br>Kenya National Commission on Human Rights (KNCHR)<br>Commission on Administrative Justice (CAJ)<br>Non-State Actors | Kisumu County      |

<sup>45</sup> <https://drive.google.com/file/d/1qTOuE4EwaqRpn8ieqe8nINo2nm6QBD7f/view?usp=sharing>

| Name of CSO | Partner Institution  | County         |
|-------------|--|----------------|
| CREAW       | Gender Based Violence Technical Working Group (GBV TWGS)<br>Court User Committees (CUCs)                               | Nairobi County |
| FADC        | Mandera south paralegal network (MASPNET)<br>Mandera South CSO Network (MASCNET)<br>Lafey Paralegals Network (LAPNET). | Mandera County |

**PLEAD Output 2.1: Support Advocacy initiatives by Non-State Actors in 12 counties for effective implementation of the Legal Aid Act.**

Three (3) policy dialogues held for effective implementation of the Legal Aid Act were conducted during the reporting period as follows:

**Arid Lands Development Focus (ALDEF) Kenya in Wajir County** conducted sensitization meetings of local leaders on importance of mainstreaming legal aid to the county policy and planning. Leaders, especially members of County Assembly seriously vowed to support the initiative as a result of pressure from grass root electorate.

**Paralegal Support Network (PASUNE) working across the country** conducted mapping of paralegals to facilitate their enactment as per the legal aid act of 2016. The mapping exercise reached over 720 paralegals across the country. Additionally, PASUNE developed a mobile application that helped improve knowledge levels among paralegals. The App has also improved interaction between paralegals as they can access the database that has paralegals from the 47 counties. The App has also increased PASUNE's visibility. PASUNE developed and launched a 5-year strategic plan which seeks the transformation of the Network into a professional body- The Paralegal Society of Kenya- for self-regulation of paralegals in Kenya. PASUNE submitted a curriculum for training paralegals to the Council of Legal Education for accreditation. The accreditation of the curriculum will allow paralegals trained under the same to seek accreditation from the National Legal Aid Service (NLAS) as per the application provisions of Legal Aid Act of 2016.

**Law Society of Kenya (LSK) working across the country** conducted advocates training workshops to build the advocates' capacity on handling legal aid. These trainings have helped in the acquisition of legal aid knowledge by advocates thus ensuring and promoting of high standards of professional practice and ethical conduct for the legal profession in Kenya. Additionally, LSK conducted the legal aid awareness week with an objective of extending legal literacy and awareness to members of the public.

**In Nairobi County, Legal Resources Foundation** conducted consultative forums on ADR and AJS. These forums discussed the application of ADR and AJS in resolution of both civil and criminal cases. The forum on AJS policy brought together 60 paralegals and AJS practitioners in Nairobi. They expressed willingness to support policy implementation by strengthening existing AJS systems.

**Raia Development Initiative (RDI) working in Wajir County** which is supported by Amkeni Wakenya through funds from the European Union developed a prototype bill<sup>46</sup> for marginalized & minority groups and the bill is at the county assembly awaiting assenting having passed through all the critical stages<sup>47</sup>.

### **Output 1.3: Enhanced CSO engagement with national level duty bearers on policy and legislative development as well as enforcement and monitoring of rights and freedoms.**

The following key results/effects were realized through actions implemented under this output area:

**Enhanced advocacy for implementation of disability legal frameworks at county, national and international levels:** KUB formed a disability network by bringing together DPOs and National Human Rights Institutions<sup>48</sup> to lobby for the ratification of the Africa Disability Protocol. This was identified as a crucial framework for continuing the push for the ratification of the protocol as well as reform of the legal instruments in line with the International Convention on the Rights of Persons with Disabilities. A cabinet memo for the approval of the ratification was prepared and tabled at cabinet by the Ministry of the Labor and Social Protection. KUB aided the fast tracking of the implementation of the Nairobi County Persons with Disabilities Act by disseminating it to, 426 duty bearers and 10,940 persons with disabilities.

Partnerships were also forged with Kituo Cha Sheria to expand provision of legal aid services for persons with disabilities.

### **Adoption of the Turkana County Fiscal Strategy Paper (CSFSP) 2020 using rights-based approach:**

With support from EKN grant, TUBAE conducted a research on Status of Health, Education Facilities and Services in Turkana South and East sub-counties where key findings indicated that access to health and education was very low.

Using these research findings, TUBAE developed key priorities for the Medium-Term Expenditure Framework (MTEF) 2020/21 to 2022/23 and recommendations to be adhered to by the Turkana County Government during its planning for 2020/21 financial year. Most of the priorities demanded budget increases from the previous financial year in Health, Education, Social protection as well as Civic education and public participation departments. The report of the research study was submitted to the Turkana County Government and adapted in the 2020/21 budget making process.

### **Enhanced transparency and responsiveness on use of resources allocated to County health budgets in**

**Kisumu County:** The interventions by Community Support for Development (CSD Kisumu) in Kisumu County influenced the 2020/2021 Kisumu County Budget to cater for the needs of the primary health care

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<sup>46</sup> [https://drive.google.com/file/d/1HZtBM\\_av2VZKlIVwAUSexkcqdPBT\\_qXn/view?usp=sharing](https://drive.google.com/file/d/1HZtBM_av2VZKlIVwAUSexkcqdPBT_qXn/view?usp=sharing)

<sup>47</sup> (a) Drafting by engaging a consultant, (b) Public participation through Radio sessions, (c) Engagement of key stakeholders like members of the minorities, special interest groups, national government representatives, county government representatives, women and youth, (d) First draft produced and submitted back to the county assembly department of procedures and legislative for revision and meeting the standard requirement of legislative bills, (e) The approved prototype bill was shared with the clerk to the county assembly for onward submission to the government printers. And, (f) RDI facilitated the bill to the level where it was submitted to the government printers.

<sup>48</sup> Kenya National Commission on Human Rights, National Gender and Equality Commission and the Ministry of Labour

among women and children in Kisumu. This was through drafting of a policy document that was reflective of the needs of the women and children who are the majority in Kisumu County hence calling for further follow ups and oversight of the county's budget implementation as well as tracing, follow ups and social audit of the implemented projects on health matters. From the project activities especially on the advocacy, the community from South West Ward presented a well drafted petition that called for the establishment of the maternity wing at Ojolla health centre so that the local women from the ward can get access to maternity services at the health centre.

**Improved responsiveness of Government of Kenya on demands for public participation prior to adoption of the Huduma Bill, 2020:** Nubian Rights Forum (NRF) conducted community forums and trainings on the knowledge of citizenship rights, and the implications of the HUDUMA Bill, 2020 on access to basic services for marginalized persons. NRF used the community forums as part of a broader strategy by various human rights groups to sensitize citizens on the ongoing court case filed by CSOs, challenging the process through which the Government was trying to legislate the draft law without considering views and concerns of stakeholders, particularly marginalized groups. The forums and trainings reached **30** project stakeholders and more than **600** community members. Within the reporting period, the Government published public participation notices, yielding into key demands by the CSOs.

**Enhanced advocacy for integration of HRBA in Covid-19 public health regulations promulgated by GoK:** CRECO in partnership with health rights NGOs analysed the public health regulations that were promulgated by the Government to help curb the spread of COVID-19.<sup>49</sup> The analysis confirmed that the proposed regulations contained some provisions that would undermine the freedoms (movement and association), privacy rights (disclosure of COVID-19 status) and dignity of affected persons (forced quarantine). The coalition of NGOs prepared advisories to National and county governments as well as development partners. In the end, the Government adopted regulations which addressed some of the key concerns raised by the consortium.

**Integration of rights-based approaches in COVID-19 Responses in Mombasa County:** In response to a widely reported incident whereby security officers brutalized ferry users in Mombasa on 27th March 2020, Haki Africa in concert with Mombasa-based CSOs petitioned the Governor of Mombasa and the COVID-19 Response Team to prevent the recurrence of such incidences. In addition to the ensuing public outcry, the Governor apologized for the incident and called for restraint on the part of security officers. The Governor invited the Coast CSO Reference Group to nominate a representative to sit in the County COVID- 19 Response Team. Since then, no major human rights violations incidences emanating from State-led COVID-19 response have been witnessed in Mombasa County.

**Enhanced advocacy for enabling digital space for civil society:** With support from EKN grant, CRECO implemented the project 'Digital Frontiers: Expanding Civic Space through strengthened Civil Society'. One of the strategies of the project was to conduct digital training to promote capacity development of Civil Society Actors on digital skills and digital media literacy. This ensured that organizations and

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<sup>49</sup> [https://drive.google.com/drive/folders/1PQrx6M3l6X7gRh6Wm5pheeU\\_Xqomd1x](https://drive.google.com/drive/folders/1PQrx6M3l6X7gRh6Wm5pheeU_Xqomd1x)

individuals maximize the full potential that technology offers. CRECO targeted to carry out training and capacity development workshops of Civil Society actors on digital skills and digital media literacy. This included advocacy and awareness on the laws that affect Digital Space.

The participants were then expected to pass the same knowledge to the rest of staff in the organization. So far 75% of the organizations present have been able to take their colleagues thorough the basic online and digital security details that they should observe by working online. Counties that were represented were, West Pokot, Nakuru, Nairobi, Meru, Machakos, Narok, Bungoma, Kajiado, Kiambu, Nyamira, Nyandarua, among others and a total of 58(36 males and 22 females).

**Project Outcome 3: Improved organizational performance, sustainability and enabling environment for CSOs in Kenya (PLEAD Result Area 3: Technical and institutional capacities of Non- State actors to provide legal aid enhanced)**

**Summary achievement against 2020 Annual Work Plan (AWP) target**

| Annual Output Target  | Indicator  | Summary achievement during the year   | Status:            |
|---|--|---|--------------------|
| <b>Output 3.1:</b> Enabling policy and legal frameworks on civil society adopted and implemented with adequate CSO participation. | <b>Indicator 3.1.1:</b> Percentage of supported CSOs participating in policy development discourses<br><br><b>Baseline:</b> 0<br><b>Target:</b> 25%    | Sustained advocacy by CSOs for operationalization of PBO Act 2013: Civil Society Reference Group (CSR) supported in development of PBO ACT Rules & Regulations  | Partially achieved |
|   | <b>Indicator 3.1.2.:</b> Number of laws and policies on PBOs adopted<br><br><b>Baseline:</b> 0<br><b>Target:</b> 2                                     | AJS policy adopted.<br><br>Improved preparedness by the NGO Board for the transition to the PBO Act 2013: Transition study of the NGO Board to PBO Authority finalized.   | Fully achieved     |
| <b>Output 3.2:</b> Capacity of PBO Authority to discharge its mandate to PBO sector enhanced.                                     | <b>Indicator 3.2.1:</b> % of supported CSO annual returns submitted and reviewed by the CSO Regulator<br><br><b>Baseline:</b> 0<br><b>Target:</b> 100% | Enhanced strategic management capacity of the NGO Board Amkeni Wakenya provided support in the preparation of a popular version of the NGO Coordination Board's strategic plan 2020-2022. Development of Enterprise Resources Planning (ERP) System to digitize operations of NGO Board for enhanced business efficiency and continuity of service.<br><br>100% of Amkeni Wakenya CSOs submitted annual returns to the NGO Board. | Fully achieved.    |
|   | <b>Indicator 3.2.2:</b> Rating of the PBO Authority as an enabler for CSOs   | NGO Board staff capacity in public policy analysis enhanced through training  | Fully achieved.    |



| Annual Output Target (2020)  | Indicator   | Summary achievement during the year  | Status:         |
|--|---|--|-----------------|
|  | <p><b>Baseline:</b> poor</p> <p><b>Target:</b> satisfactory</p>   | <p>Stakeholder engagement capacity of NGO Board enhanced</p> <p>Knowledge management capacity of NGO Board enhanced:</p> <p>Annual NGO Sector Report launched.</p>   |                 |
| <b>Output 3.3:</b> CSO self-regulation mechanisms established and supported  | <p><b>Indicator 3.3.1:</b> Number of CSO self-regulation mechanisms established and maintained on an annual basis</p> <p><b>Baseline:</b> 0</p> <p><b>Target:</b> 1</p>   | <p>Five (5) County PBO Forums strengthened and sustained by CSRG in 2020</p> <p>Knowledge products (3,500) on self-regulation developed and disseminated</p>   | Fully achieved. |
|  | <p><b>Indicator 3.3.2:</b> Level of CSO satisfaction with the role of CSO self-regulation</p> <p><b>Baseline:</b> Good</p> <p><b>Target:</b> Good</p>   | <p>CSRG held five (5) regional consultative forums on self-regulation</p>  | Fully achieved  |
| <p><b>Output 3.4:</b> Critical capacities for organizational development, impact and sustainability among CSOs enhanced</p> <p><i>PLEAD Output 3.1: Critical capacities for organizational development, impact and sustainability among non-state legal aid providers enhanced</i></p> | <p><b>PLEAD Indicator 3.1.1:</b> % of supported CSOs having operational systems in place (e.g. financial, project management, administrative and HR)</p> <p><b>Baseline:</b> 83%</p> <p><b>Target:</b> 100%</p> | <p>Capacity of grantees on digital rights advancement and protection enhanced: One training and capacity development of Civil Society Actors on digital skills and digital media literacy conducted by CRECO with support from Amkeni Wakenya.</p> <p>Capacity of Amkeni grantees on project and financial management enhanced</p> <p>Enhanced sustainability of Amkeni grantees</p> | Fully achieved. |
|  | <p><b>PLEAD Indicator 3.1.2</b> % of supported CSOs generating at least 10% of their annual budget internally</p> <p><b>Baseline:</b> 10%</p> <p><b>Target:</b> 50%</p>   | <p>All CSOs had a sustainability component in their budget (5% of annual budget) financed to promote income generating activities.</p>   | Fully achieved. |
| <i>PLEAD Output 3.2: Learning platforms and mechanisms for</i>   | <p><b>PLEAD Indicator 3.2.1:</b> Number of knowledge</p>  | <p>-One annual review report produced</p>  |                 |

| Annual Output (2020)  | Target | Indicator   | Summary achievement during the year   | Status: |
|---|--------|---|---|---------|
| documentation and dissemination of best practices established |        | products on best practices produced and disseminated<br><br><b>Baseline:</b> 0<br><br><b>Target:</b> <sup>50</sup> 10 | <p>-Coast region joint monitoring article developed.</p> <p>- Survey on the state of Legal Aid in Nairobi County-launched on June 18, 2020 virtually and physically</p> <p>Digital Audit of the Sector Report by CRECO Kenya in 2020</p> <p>Pata Haki mobile application developed by KASH</p> <p>2018/19 Annual NGO Sector Report launched and publicized by the NGO Coordination Board.</p> <p>Rapid assessment on citizens' participation structures and access to legal aid in Garissa County</p> <p>Sector review report of the current Primary Health Care Policy in Kisumu County</p> <p>2019 annual report fact sheet</p> <p>Baseline Survey on Health Rights and advocacy for women and girls by CRAWN Trust</p> <p>SRH short film as a communication tool that highlights the challenges the Deaf undergo when accessing SRH services</p> <p>Research study on analysing government responses to Covid-19</p> <p>Joint monitoring survey on the status on human rights during covid-19 response in Kenya</p> <p>Publications on how the constitution of Kenya protects HIV related rights</p> <p>CSO profiles developed</p> |         |

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<sup>50</sup> 2 per year

| Annual Output Target (2020) | Indicator  | Summary achievement during the year  | Status:               |
|-----------------------------|--|--|-----------------------|
|                             | <b>PLEAD Indicator 3.2.2:</b><br>Number of learning platforms held; outcomes documented & disseminated to all stakeholders.<br><br><b>Baseline:</b> 0<br><br><b>Target:</b> 10 | One learning platform on annual review held in Nakuru to review 2019 project achievements and way forward in 2020.<br><br>One Learning platform on financial management conducted<br><br>Three induction training forums conducted for SPAIS Grantees.<br><br>Two quarterly learning platforms held during the reporting period. | Fully achieved.       |
| <b>Overall Status</b>       |  |  | <b>Fully achieved</b> |

### Narrative

Amkeni continued to support the CSOs partners in capacity development in key strategic areas which aimed at enhancing their organizational, technical and institutional strengthening. Amkeni also continued to support advocacy efforts towards operationalization of the PBO Act and strengthening of the capacity of the preeminent NGO regulator- The NGO Coordination Board. The section below presents a narrative of the progress towards realization of results under this project output, although on the overall the implementation of this output delayed due to limited funding.

### Output 3.1: Enabling policy and legal frameworks on civil society adopted and implemented with adequate PBOs participation

Actions implemented under this Output are meant to foster development and adoption of legal and policy frameworks by Government that will guarantee and sustain an enabling environment for civil society. The actions also sought to address risks that may lead to weakening or undermining of the existing progressive frameworks that foster optimal regulatory environment for civil society. Some of the key results/effects of the actions that were undertaken during the reporting period:

**Improved preparedness by the NGO Board for the transition to the PBO Act 2013:** Amkeni Wakenya with financial support from EKN provided technical assistance to the NGO Coordination Board to conduct a study on the policy and administrative imperatives of the transition from the current NGO Coordination Act of 1990 to the PBO Act of 2013. The study sought to identify the imperatives for smooth transition of the Board to the PBO Authority as per the operationalization of PBO Act of 2013. Amkeni procured a consultant who undertook the research and prepared a report with support from the Board's senior staff for consideration by the NGO Board. The transition study documented all policy and regulatory requirements, implications and imperatives towards enabling the Board and the sector to strategically plan for implementation and a successful transition to the PBO Act regime. The Board also reviewed and

validated the entire study documents on transition<sup>51</sup> and at the end of the validation process, the Board's secretariat and management acknowledged that they now had sufficient knowledge to advise the parent Ministry on how to steer the transition process, once the decision to operationalize the PBO Act is implemented.

**Sustained advocacy by CSOs for operationalization of PBO Act 2013:** with complementary financial support from EKN, the Civil Society Reference Group (CSRG) undertook review of draft regulations that had been developed in 2013 to elaborate on the substantive provisions of the PBO Act 2013. Towards this end, CSRG contracted a consultant looked at the two draft regulations developed in 2013 and was able to develop a harmonized draft which the CSO leaders further reviewed and gave input before transmission to the NGO Board. This initiative was undertaken, partly to ensure better preparedness of stakeholders (parent Ministry, NGO Board and CSOs) on operationalization of the PBO Act, 2013 but also as a strategy for mobilizing and sustaining support towards implementation of the law. In this regard, the CSRG organized forums targeting CSO leaders where the contents of the draft regulations were disseminated and support for the operationalization agenda affirmed. A total of 121(79M; 42F)CSO leaders were reached.

### **Output 3.2: Capacity of PBO Authority to discharge its mandate to PBO sector enhanced.**

The NGO Board is the primary regulator of civil society in Kenya due to the fact that over 11,000 CSOs are registered as NGOs. Indeed, 80% of Amkeni grantees are registered as such. Due to this reason, the NGO Board is a critical player in the enablement of a conducive regulatory environment for CSOs. Amkeni project therefore prioritized actions aimed at enhancing the institutional capacity of the NGO Board and thereby improving its responsiveness of the regulatory needs and concerns of the civil society. The following key results were achieved:

**Enhanced strategic management capacity of the NGO Board:** In 2019, Amkeni provided financial and technical support (under EKN support) in the development of a new strategic plan for the NGO Board (2020-2022) and thereafter printing of simplified version of the plan. The strategic plan prioritized as key actions, enhancing regulatory, legislative and policy environment for PBOs; strengthening compliance with regulations; institutional capacity; establishing and growing PBOs; strategic partnerships and resource mobilization towards financial sustainability of the Board. In 2020, Amkeni further procured a consultant and organized a workshop on change management for NGO Board staff, aimed at enhancing understanding of the new NGOs Co-ordination Board's Strategic plan (2020 - 2022). The training identified activities, strategy, roles, methodology while putting in place an operational plan to manage and control change during implementation of the new Strategic Plan.

**Development of ERP system for enhanced business efficiency and continuity of services:** Amkeni Wakenya (with funding from EKN and EU) provided financial and technical support towards the development of an Enterprise and Resources Planning (ERP) system, to digitize, integrate and hasten management and business processes of the NGO Board. The system will not only support internal business process of the Board (e.g. human resources, financial management and procurement) but will also support

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<sup>51</sup> a) Statement on the policy changes expected in the PBO Act regime; b) Report on the operational needs expected with the implementation of the PBO Act; c) A report detailing the implementation plan and; Report on the regulatory framework to operationalize the PBO Act.

service delivery mandate of the Board towards NGOs e.g. digitalizing NGO registration, reporting, compliance and capacity building services. By the end of 2020, all the modules of the ERP had been developed and subjected to a trial with success. However, the deployment of the ERP was put on hold due to delays by the NGO Board to procure servers and other infrastructure. Hopefully, the ERP will be deployed in early 2021.

**Capacity of NGO Board staff in public policy analysis enhanced:** Amkeni organized a Public Policy Analysis training workshop for NGO Board staff that was offered by the Kenya Institute of Public Policy Analysis and Research (KIPPRA). A total of 66 (38M;28F) were trained. This enhanced the capacity of technical staff to discharge the statutory mandate of the Board in conducting regular research and analysis of trends on key issues affecting the NGO sector; identify policy gaps and opportunities for efficient, effective regulation.

**Stakeholder engagement capacity of NGO Board enhanced:** The NGO Board was supported to conduct regional NGO engagement forums. Thus far, the Board held three regional forums with NGOs in Mombasa, Nairobi, Eldoret, Garissa, Kakamega, Machakos, Meru, Mombasa, Nakuru, Nyeri and Kisumu. The forums reached 52 participants (32M: 20F). This further strengthened CSO enabling environment.

**Knowledge management capacity of NGO Board enhanced:** In 2019, Amkeni provided financial and technical support to the NGO Board towards analysis and compilation of relevant data on NGOs in Kenya, with participation of civil society and other stakeholders. This endeavor culminated in the publication, printing and launch of the Annual NGO Sector Report of 2019 supported by Amkeni. The process towards production of the 2020 Annual Report provided the NGO Board with a good practice in knowledge management and has since embarked on development of the 2020 Annual NGO Sector Report without necessarily seeking support from Amkeni.

### **Output 3.3: CSO self-regulation mechanisms established and supported**

The NGO Coordination Act, 1990 provides for establishment of the National Council of NGOs (NGO Council) as the premier self-regulatory mechanism for NGOs in Kenya. However, the NGO Council has since 2006 splintered into several factions and therefore is not able to clearly provide self-regulation opportunities for civil society. As a result, thematic and regional-based consortia of CSOs have sought to fill this void. Amkeni provided a grant to the Civil Society Reference Group (CSRG) to enhance capacity of CSOs in this regard. In this venture, the following results were achieved:

**Five county-based CSO self-regulation mechanisms strengthened:** CSRG held capacity building forums for CSO networks in Mombasa, Garissa, Nyeri, Nandi, and Kisumu counties. The forums reached out to 63 CSO leaders (42 male and 21 female) in 4 counties with information and knowledge on how to manage CSO networks within the framework of PBO Act 2013. The meetings also explored opportunities to effectively engage with duty bearers and other stakeholders at county level over policy issues. The forums recommended formulation of similar networks countrywide.

**Knowledge products (3,500) on self-regulation developed and disseminated:** CSRG developed and has shared 3500 brochures (simplified information on the PBO Act - 1500 in Swahili, 2500 in English). 3000 copies of the voluntary service charter (draft code of conduct for PBOs) as IEC materials on the PBO Act and self-regulation. The sample code of conduct will be a mandatory requirement for organisations seeking registration under the PBO Act 2013 and therefore is an important document for the CSO leaders. As a

result of the reading these materials, CSO leaders are likely to be more aware and conscious of their actions in public and build their organisations to the standard as indicated in the PBO Act 2013.

#### **Output 3.4: Critical capacities for organizational development, impact and sustainability among non-state legal aid providers enhanced**

**Capacity of grantees on digital rights advancement and protection enhanced:** The Constitution and Reform Education Consortium (CRECO)<sup>52</sup> implemented a project titled “*Digital Frontiers: Expanding Civic Space through Strengthened Civil Society*” with funding and technical support from Amkeni Wakenya (under EKN funding). In this venture CRECO conducted training and capacity development sessions with CSO leaders and personnel on digital skills and digital media literacy which ensured that CSOs and individuals working in the CSO sector maximized on the full potential that technology offers. During this capacity building session, CRECO reached a total of 58 (36m; 22f) individuals with representation from more than 25 counties in Kenya. CRECO also held inception meetings with 3 organizations- KICTANET, The International Center for Not-for-Profit Law (ICNL) and Civil Society Reference Group (CSRG) - and deliberated on way forward/action points towards promoting civic space in the country.

**Capacity of Amkeni grantees on project and financial management enhanced:** During the reporting period between June 2020 and September 2020, Amkeni facilitated a Learning Platform for its Implementing Partners. Amkeni sought to strengthen the capacities of these CSOs to manage their respective interventions in compliance with UNDP requirements and for greater efficiency, effectiveness, sustainability. The IPs were trained in Financial Management, Human Rights Based Approach (HRBA) and Communication and Knowledge Management. Quarterly Review Meetings including induction workshop for new IPs were also conducted during this period. The Learning Platforms provided an opportunity for grantees to share progress and experiences gained during project implementation; discuss challenges encountered and; identify opportunities for improvements and course-correction. Amkeni Wakenya PMU hold training sessions on proposal writing for prospective grantees under PLEAD, which provided an opportunity of ensuring optimal participation of target CSOs in the grants solicitation processes. Amkeni also conducted a Consultative workshop bringing together its Implementing Partners to interrogate the COVID-19 Economic Recovery Strategy document that was prepared by the Treasury with support from the UN. Feedback generated by participants from this meeting was transmitted to the GoK through the UN System.

**Enhanced CSO Sustainability** – Amkeni Wakenya allows CSOs grantees to earmark 5% of their budget for sustainability initiatives. The grantees are expected to apply the resources towards procurement of productive assets and capacities that place them on a trajectory towards financial sustainability. In total grantees procured 228 assorted assets to support their own sustainability.

***PLEAD Output 3.2: Learning platforms and mechanisms for documentation and dissemination of best practices established.***

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<sup>52</sup> A consortium composed of CSOs working in different sectors but with a common aim of promoting constitutionalism and good governance in Kenya

During the reporting period, Amkeni Wakenya produced and disseminated over 15 knowledge products covering diverse topical issues.<sup>53</sup> These products documented knowledge that had been generated through research and capturing of lessons learnt as part of CSO project interventions. These products provided a basis for better programming by target CSOs. The products also provided useful recommendations for future policy advocacy by CSOs.

Amkeni Wakenya held one annual review meeting and two quarterly learning forums with its 43 CSOs grantees across the target counties during the reporting period. The annual review was held in the first quarter, and the meeting brought together more than 100 participants, drawn from the all grantees supported under Amkeni Wakenya project. In the annual review, Amkeni Wakenya assessed the progress achieved, key challenges and lessons learned in the first year of implementation of PLEAD projects and other grants awarded under EKN funding. The learning platform provided insights and built consensus on key recommendations for the next programming cycles. Additionally, the PMU facilitated policy discussions between grantees and duty-bearers drawn from the administration of justice sector.<sup>54</sup>

During the second quarter, Amkeni Wakenya held its first quarterly review meeting with 43 civil society organizations (CSOs) to discuss business continuity on access justice and legal aid for the marginalized and vulnerable communities in the current context of COVID-19. The meeting was held virtually, necessitated by the need for UNDP and its partners to adaptively deal with the health as well as the governance, economic and social challenges triggered by COVID-19 pandemic, while ensuring business continuity in programme implementation.

The second quarterly review meeting was held during the third quarter, bringing together 50 participants and this provided an opportunity to build and strengthen the capacity of the grantees in communication for development (C4D), through training on new communications technologies for dissemination of project information, drafting evidence-based stories and enhancing project visibility through social media. Additionally, the learning event provided CSO partners with knowledge about public information principles for Communications for Development (C4D) in the context of democracy, rule of law and human rights for effective development. The event coincided with the commemoration of the 16 days of activism against GBV. As such this learning was organized at an opportune time to support technical aspects to easily capture experiences within grassroot organizations working with very lean budgets. Participants were able to grasp the concept of mobile journalism for documentation and reporting and as a form of digital storytelling. These stories, as anticipated, would have unlimited potential to raise awareness, inspire action and attract more resources to grantees.

**Project Outcome 4: Effectiveness of CSOs response to Contemporary emerging issues enhanced  
(PLEAD Result Area 3: Technical and institutional capacities of Non- State actors to provide legal aid enhanced)**

*Summary achievement against 2020 Annual Work Plan (AWP) target*

<sup>53</sup> State of legal aid in Nairobi county, audits of the digital sector, the 2018/19 NGO Annual report, assessments on citizen participation in access to legal aid, review reports of the primary health care (a case study of Kisumu County), survey on health rights and advocacy for women & girls, publications on how the Kenya Constitution protects HIV related rights and the survey on status of human rights during Covid-19 response in Kenya.

<sup>54</sup> Council for Legal Education, National Legal Aid Services and the NGO Co-ordination Board

| Annual Output Target (2020)   | Indicator  | Summary achievement during the year  | Status:         |
|---|--|--|-----------------|
| <b>Output 4.3:</b> Integrity and political accountability addressed effectively through innovative anti-corruption initiatives  | <b>Indicator 4.3.1:</b> No of integrity and accountability laws and policies reviewed<br><br><b>Baseline: 0</b><br><br><b>Target: 2<sup>55</sup></b>   | Enhanced capacities of the beneficiaries on promoting Social Accountability, public Participation, and development of position papers, memos and use of virtual engagements.<br><br>Development of tools that support social accountability<br><br>Relevant partnerships forged between the CSOs and County Government Departments<br><br>Enhanced capacities of the CSOs and Media on how to work together as they promote Social accountability for Health.<br><br>Well-coordinated County Chapters: jointly engage and advocate for improved health service Provision<br><br>Strengthened Advocacy Work by the Civil Society Organisations<br><br>Free Anti – Corruption Reporting and Advisory Call Platform (FACRAPs) developed | Fully achieved. |
|   | <b>Indicator 4.3.2:</b> Level of public awareness on corruption and integrity in key governance institutions in target counties (County govts, courts and police)<br><br><b>Baseline: 49.7%</b><br><br><b>Target: Improve baseline by 5%</b> | Monthly monitoring reports on COVID-19 response resource allocations and utilization compiled and widely disseminated<br><br>Public awareness and engagement on transparency in Covid 19 response by government<br><br>Research studies on social accountability conducted.<br><br>Improved information Sharing in the Sector:<br><br>Improved Media Engagement:   | Fully archived. |
| <b>Output 4.4</b> Internal M&E, reporting and knowledge management processes of Amkeni enhanced<br><br><b>PLEAD Output 3.3:</b> Monitoring, evaluation and reporting systems strengthened | <b>Indicator 4.4.1:</b> Number of M&E recommendations from ETE implemented<br><br><b>Baseline:0</b><br><br><b>Target:14</b><br><br><b>PLEAD Indicator 3.3.1:</b> Number of monitoring  | - Enhanced knowledge and understanding of the context, risks and emerging Programme results by Amkeni Wakenya and Development Partners: One joint monitoring mission with Development Partners conducted in Mombasa and Kilifi counties<br><br>-enhanced knowledge sharing among Amkeni project stakeholders: One annual review done and 3 quarterly learning platforms held.<br><br>- Internal M&E capability of Amkeni PMU enhanced: Virtual monitoring via zoom/teams and mobile  | Fully achieved  |

<sup>55</sup> Integrity Act and EACC Acts reviewed



| Annual Output Target (2020)  | Indicator   | Summary achievement during the year   | Status:         |
|--|---|---|-----------------|
|  | activities undertaken by the PMU<br><b>Baseline:</b> 0<br><b>Target:</b> 14 <sup>56</sup>   | phones conducted in the 4 regions. Amkeni Wakenya online reporting system upgraded.<br><br>Amkeni M&E data collection tool (Form D) digitized and uploaded to the ODK Platform being hosted by UNDP Servers |                 |
|  | <b>PLEAD Indicator 3.3.2:</b> Number of IPs fully utilizing the online reporting system<br><b>Baseline:</b> 0<br><b>Target:</b> 45  | -40 IPs trained and fully utilizing the online reporting system in uploading of workplans, submission of quarterly online reports.  |                 |
|  | <b>PLEAD Indicator 3.3.3:</b> Level of feedback from key stakeholders on Quality of Reports produced by Amkeni (baselines, M&E plans, log frames, SOP, M&E Strategies).<br><b>Baseline:</b> Medium Quality<br><b>Target:</b> High Quality | High quality annual report for 2019 finalized and approved by the senior management and the development partners.   | Fully achieved. |
| <b>Output 4.5:</b> Visibility and profile of Amkeni as a critical actor in democratic governance sector enhanced<br><b>PLEAD Output 3.4:</b> Visibility of the PLEAD Programme (including the EU) enhanced | <b>Indicator 4.5.1:</b> An interactive Amkeni website in place<br><b>Baseline:</b> 0<br><b>Target:</b> 1  | Enhanced Visibility of Amkeni Wakenya Project using multimedia approach: Amkeni Wakenya microsite operational.<br><br>Presence of social media platforms for Amkeni including a twitter page.               | Fully achieved. |
|  | <b>PLEAD Indicator 3.4.1:</b> Number of interactions on the Amkeni Wakenya website<br><b>Baseline:</b> 0<br><b>Target:</b> <sup>57</sup> 1000   | -64,0 interactions.   | Fully achieved. |

<sup>56</sup> 4 M&E visits per year, 4 capacity building session, 4 quarterly reviews and 1 annual review 1 mid-term evaluation and 1 end term evaluation

<sup>57</sup> This figure was arrived at after discussion with the communications unit, with due consideration to other UNDP sites.

| Annual Output Target (2020) | Indicator   | Summary achievement during the year  | Status:         |
|-----------------------------|---|--|-----------------|
|                             | <p><b>PLEAD Indicator 3.4.2:</b> Frequency of reference of Amkeni Wakenya in the mainstream media</p> <p><b>Baseline:</b> 0</p> <p><b>Target:</b> 12 (1 per month)<sup>58</sup></p>   | <p>On Twitter, Amkeni has 22 retweets, 2 quote tweets, 43 likes on program activities and 13 retweets, 22 likes on the PLEAD Newsletter</p> <p>Amkeni has 20 followers on the medium platform.</p> <p>Amkeni Quarterly review meeting presentations has 210 views on Instagram</p> <p>PLEAD Newsletter has 174 views</p> <p>YouTube – 8 videos posted that attracted 1,790 views</p> <p>Facebook – 17 posts that attracted 314 views, 18 comments, 241 likes and 23 shares</p> <p>Newspaper Articles – 19 articles developed on 4 local newspapers (Star, Nation, Jambonews Network &amp; Vipasho platform)</p> <p>1 Blog platform that disseminated info on Prison reforms and how PLEAD relates</p> <p>1 Public petition developed to advocate return for 7 Kenyan Citizens stuck in Somalia during the Covid-19 pandemic.</p> | Fully achieved. |
|                             | <p><b>Indicator 4.5.2:</b> Number of knowledge products developed and disseminated</p> <p><b>Baseline:</b> 1</p> <p><b>Target:</b> 10</p> <p><b>PLEAD Indicator 3.4.3:</b> Number of visibility materials produced</p> <p><b>Baseline:</b> 252<sup>59</sup></p> <p><b>Target:</b> 2000<sup>60</sup></p> | <p>One joint monitoring article developed.</p> <p>-Documentary on the state of the legal aid in Nairobi County.</p> <p>-2019 Annual report fact sheet produced.</p> <p>-40 IP fact sheets produced.</p> <p>-40 CSO profiles produced</p> <p>-One PLEAD Brochure developed and disseminated online.</p>   | Fully achieved. |
|                             | <p><b>PLEAD Indicator 3.4.5</b> Number of visibility and communication materials developed and</p>  | <p>-One PLEAD Fact sheet developed.</p> <p>-One plead verdict newsletter</p>   | Fully achieved. |

<sup>58</sup> This target considers mainstream media appearance, at least once every month.

<sup>59</sup> 67 international articles, 6 tweets, 40 retweets, 58 like, video views <sup>61</sup>

<sup>60</sup> An estimate of 500 per year

| Annual Target (2020)  | Output | Indicator  | Summary achievement during the year | Status:         |
|-----------------------|--------|--|-------------------------------------|-----------------|
|                       |        | disseminated (both hard and soft)<br><b>Baseline:</b> 0<br><b>Target:</b> 10 |                                     |                 |
| <b>Overall Status</b> |        |  |                                     | Fully achieved. |

## Narrative

### Output 4.3: Integrity and political accountability addressed effectively through innovative anti-corruption initiatives

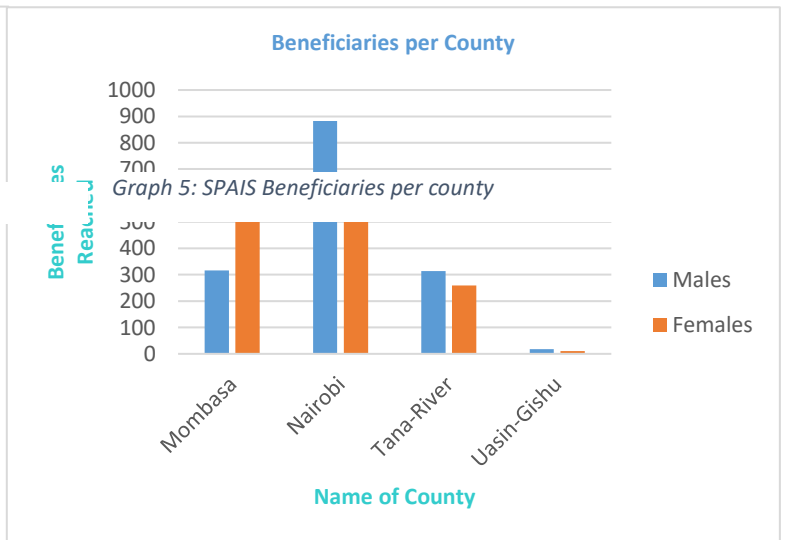
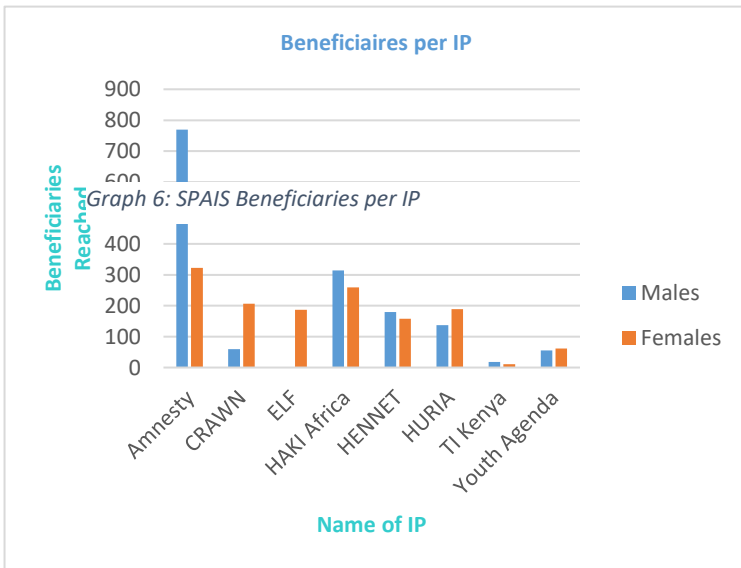
Under integrated programming, Amkeni implemented the Strengthening Public Accountability and Integrity Systems (SPAIS) project that sought to contribute to efforts by government and non-state actors aimed at corruption prevention for improved service delivery and inclusive governance. SPAIS's main intervention was to support lead state institutions, civil society and private sector to increase transparency, accountability and responsive democratic governance through:

- i) Strengthened policy and legal frameworks for countering and preventing corruption;
- ii) Enhanced capacities of oversight and coordination of institutions for countering and preventing corruption;
- iii) Increased capacities and participation of civil society, faith-based organizations, media, and private sector to inform public, monitor service delivery and promote public accountability.

Through Integrated Programming, Amkeni Wakenya awarded 8 CSOs<sup>61</sup> with grants to support anti-corruption efforts with the aim of ensuring that public resources are best used to improve citizens' livelihoods.

During the reporting period, 2,925 (1,531 M; 1,394 F) beneficiaries were reached directly and over 2,897,023 reached indirectly by the SPAIS project. This represents 41% of target population across Nairobi, and Mombasa Counties where this project was implemented. The figure below presents the beneficiaries reach per county and as per IP.

<sup>61</sup> Amnesty International, Community Advocacy and Awareness Trust -CRAWN Trust, Emerging Leaders Foundation, Health NGOs Network-HENNET, Haki Africa, HURIA, Transparency International & Youth Agenda



The following results were achieved through SPAIS interventions.

**Enhanced capacities of the beneficiaries on promoting Social Accountability and public Participation**

- HENNET recruited 20 Accountability Health Champions from Mombasa and Nairobi counties to jointly engage and advocate for improved health service provision. The teams reviewed the Mombasa County Public Participation Policy Framework and developed a memoranda which was submitted to the County Government for Consideration. The WAJIBIKA PROJECT implemented by Youth Agenda resulted in at least 26 County Officials (Executive and Assembly), 27 Youth Serving Organizations and 17 youth acquiring knowledge on Open Contracting. HAKI Africa trained thirty (30) Community Social Accountability Facilitators (CAFs) who carried out social audits for two health facilities<sup>62</sup>. The social audit report was forwarded to the County government of Mombasa to use as a tool for improving its Covid-19 response as well as mobilizing other actors within the County towards coordinating multi- stakeholders' approach to the pandemic. Amnesty International targeted accountants in its 'Wapi Nduru' Project. Through the project, 362 accountants under the umbrella of the Institute of Certified Public Accountants of Kenya (ICPAK) were trained on Professional integrity and Human Rights. Out of those trained, a community of practice made up of 28 members was formed to provide support for members who wanted to whistle blow. In addition, the project was supported to develop Whistle blower protocols for use by ICPAK members. Emerging Leaders Foundation (ELF) in partnership with the Reproductive Health Network Kenya (RHNK) increased knowledge acquisition by young women health practitioners on accountability and participation in governance processes in the health sector. Through the project, 91 young women were trained and mentored.

**Enhanced engagement between CSOs and Media on promoting Social accountability for Health**

HENNET conducted a high-level webinar on the role of media in Preventing Corruption in the Health Sector and developed a Media Engagement Policy to guide engagement of HENNET with the media. The policy is currently being used in other advocacy projects. TI Kenya facilitated training of 25 investigative journalists on investigative journalism skills within the context of a pandemic. Three (3) journalists were supported in undertaking investigative stories on covid-19 response, transparency and accountability.

<sup>62</sup> Provisional General Hospital (CPGH) and Technical University Mombasa (TUM) Isolation Center

**Enhanced public awareness and engagement on COVID-19 Pandemic-** TI Kenya conducted 6 radio talk shows that focused on transparency in the Covid-19 response by government. The shows reached out to approximately 500,000 listeners.<sup>63</sup> TI Kenya also conducted regular informative social media postings on the topic. This created public awareness and generated public discourse on issues of integrity during the COVID-19 pandemic. They also served to stimulate public action against corruption and ineffective COVID-19 response interventions by government. CRAWN Trust conducted advocacy forums where a wide cross section of citizens was sensitized and advocacy action plans developed. HURIA conducted two radio shows across the Coastal region which focused on petty corruption within COVID – 19 programs and initiatives including the misuse of funds meant to cushion the vulnerable from effects of the pandemic. HENNET utilized social media using tweets that became a major tool for raising important Social accountability issues to a wider audience especially the youth.

**Research studies and development of tools that support social accountability** - Through the support of UNDP, CRAWN Trust carried out a baseline survey through the administration of a score card which provided valuable information on Maternal and Child Health Care (MCH) within Nairobi County. As a result, a policy brief was developed highlighting the policy recommendations from the findings of the study which was shared with various stakeholders. In addition, a fact sheet was also developed, published and disseminated. Similar support was provided to Youth Agenda which developed an open Contracting Monitoring Toolkit. The tool was used to assess the level of Open Contracting in Nairobi County. Additionally, a citizen perception survey was conducted to establish the status of access to procurement information by the citizenry and measures put in place by the county to facilitate ease access to information. As a result of the project, YAA is now a member of the Open Government Partnership and has been involved in the development of the OGP National Action Plan IV<sup>64</sup> that is currently pending validation. TI Kenya conducted a research study to analyse government response to covid-19. The study highlighted accountability loopholes as well as best practices from other jurisdictions around the world and is currently being disseminated for advocacy on policy, legislative and institutional reforms in the areas of enhancing transparency and accountability in the COVID-19 response and possible future emergencies. HURIA conducted a mapping exercise in all the six sub-counties of Mombasa County to assess citizen’s knowledge, involvement as well as benefits of both the National and County anti-COVID-19 initiatives and programs. In addition, HURIA administered two online surveys<sup>65</sup> targeting members of the public and beneficiaries of the COVID-19 programmes and key community actors and decision makers. The objective of the surveys was to assess the level of satisfaction of members of the public on the plans and the role the county and National Government to cushion the effects of the pandemic on the citizens as well as to question the beneficiaries and key actors on the mismanagement of the funds and complaints from the public concerning the way the programs were run.

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<sup>63</sup> Estimated based on the rating of the stations by the regulator

<sup>64</sup> The NAP IV commitment will implement a national end to end e-Government system adopting the Open Contracting Data Standard (OCDS), to cover all stages of public procurement in Kenya. The system will be interoperable with all other government E-Systems.

<sup>65</sup>

[https://www.surveymonkey.com/r/FXS88HQ?fbclid=IwAR1\\_IKplhGRq8RJlg4\\_ChCufxVPotXVnrJv5NcLy1g3MiNwOhD\\_g-lvZZQc](https://www.surveymonkey.com/r/FXS88HQ?fbclid=IwAR1_IKplhGRq8RJlg4_ChCufxVPotXVnrJv5NcLy1g3MiNwOhD_g-lvZZQc) :

[https://www.surveymonkey.com/r/3FGJ9OX?fbclid=IwAR1\\_IKplhGRq8RJlg4\\_ChCufxVPotXVnrJv5NcLy1g3MiNwOhD\\_g-lvZZQc](https://www.surveymonkey.com/r/3FGJ9OX?fbclid=IwAR1_IKplhGRq8RJlg4_ChCufxVPotXVnrJv5NcLy1g3MiNwOhD_g-lvZZQc)

**Improved information Sharing** -TI Kenya developed a national level online Covid-19 web platform which allows any member of the public to access and interact with information on resources allocated towards COVID-19 response interventions. The information was compiled into a report which was disseminated through a social media campaign on Twitter on 14<sup>th</sup> December under the #Covid19Accountability. HENNET through the engagement of health players formed a WhatsApp platform called 'The Ambassadors' where relevant information continues to be shared and actions proposed. This was a very active platform that ensured that all players were able to access relevant information and participate on an equal basis.

**Free Anti – Corruption Reporting and Advisory Call Platform (FACRAPs) developed** - HURIA continued to support free anti –corruption reporting and advisory sessions through the Free Anti – Corruption Reporting and Advisory Call Platforms. Through the support of Pro-Bono Lawyers, HURIA has thus far received 33 calls related to corruption allegations and followed up on 5 cases that have been conclusively finalized. Most of the cases received relate to the COVID-19 programs such as the Kazi Mtaani Initiative and have been followed up with the EACC, Mombasa Branch.

#### **Output 4.4: Internal Monitoring & evaluation, reporting and knowledge management processes of Amkeni enhanced**

Under this output, Amkeni implemented interventions aimed at enhancing the capacity of the PMU and grantees to monitor, evaluate and report on project activities as well as emergent governance issues. The following key results and effects were realized:

**Enhanced knowledge and understanding of the context, risks and emerging Programme results by Amkeni Wakenya and Development Partners:** During the reporting period, Amkeni Wakenya conducted a joint monitoring mission to Mombasa and Kilifi counties with the European Union (EU) and EKN delegations. The mission aimed at assessing the extent to which the objectives of the project were being achieved and the contextual environment of the programme. The mission team visited three grantees' project offices, (HURIA, Haki Africa and Kituo Cha Sheria) and various field activities organized by the respective grantees. In addition, the mission team paid a courtesy call to the Deputy Governor, County Government of Mombasa. A final joint monitoring report was developed and findings discussed with the two Development Partners.<sup>66</sup>

**Internal M&E capability of Amkeni PMU enhanced:** in 2015, Amkeni Wakenya developed and deployed an online monitoring, evaluation and reporting system, which provides a platform to managing and archiving project reports from grantees. The M&E online reporting system offers staff a more efficient means of reporting and provides a platform to continue developing technological solutions to assist in the collection of relevant and timely information. The system was further upgraded to increase its efficiency. The online system represents a key step in promoting the use of evidence so that lessons learned can inform management decisions and future programing.

Additionally, Amkeni Wakenya engaged a consultant to digitize its M&E data collection tool (Form D) to address the limitations that Amkeni Wakenya has experienced using the Form D paper-based format. These limitations contributed to challenges in uploading the data to the current data processing software

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<sup>66</sup> <https://drive.google.com/file/d/1TI009Dv40pmbU6D0VEsMWjXhJ56i08mE/view?usp=sharing>

(SPSS) as well as spending a great deal of man-hours on data cleaning; a painstaking process involving correcting and removing incorrect, duplicate and unethical data entries to improve the validity of the submitted data. The Form D digitization process has however been completed and is hosted by the UNDP servers.

With travel restrictions imposed at the height of COVID-19 crisis, Amkeni adopted a virtual monitoring approach to track the work of grantees and monitor compliance. Each project officer was required to hold virtual meetings with grantees, review project and financial reports online and identify corrective measures with grantees on real-time basis. This enhanced Amkeni's capability to monitor projects despite inability of staff to travel to project locations. To achieve this, Amkeni procured Zoom licenses for 8 EKN grantees.

#### **Output 4.5 Visibility and profile of Amkeni as a critical actor in democratic governance sector enhanced**

Under this Output, Amkeni sought to publicize the work of the grantees and PMU through production of IEC materials, media advocacy and use of social and online media. The following results were realized:

**Enhanced Visibility of Amkeni Wakenya Project using multimedia approach:** Amkeni Wakenya microsite is fully operational. During the reporting period 640 interactions were reported on the Amkeni Wakenya website. The following visibility products were also developed.

- 102 Tweets disseminated information on the PLEAD Programme and the PLEAD Newsletter.
- 210 Instagram post disseminated info on the Quarterly review meetings held by Amkeni Wakenya
- Medium platform post disseminated information on promoting access to justice by the deaf
- 8 YouTube videos disseminated information on how the PLEAD programmes is assisting the vulnerable access justice in Kenya and achievements of the PLEAD Programme attracting 1,790 views.
- Facebook disseminated information on strengthening justice-centered COVID-19 responses, forging partnerships and strengthening capacities of duty holders, Gender-based violence Public Awareness, Justice through virtual rights and advocacy on disability rights attracting 596 views
- One Blog disseminated info on Prison reforms and how PLEAD relates to this.
- Articles disseminated information on Access to justice initiatives, Calls to abolish capital offences, Upscaling of court operations amid covid-19 and addressing defilement cases

**Knowledge products developed and disseminated:** The PMU designed and produced the 2019 Annual report fact sheet that summarized the key project results that were realized under EKN and EU funding in the previous year. The factsheets were disseminated through the Amkeni microsite and social media channels. The PMU produced profiles of EKN grantee, which were published as factsheets for dissemination. For the first time, the PMU produced an online newsletter, which carried stories of projects implemented with support from the EKN. The newsletter was disseminated online through social media channels and Amkeni's microsite. During the reporting period the Swahili narrated version of the PLEAD Animation went online<sup>67</sup> in June, 2020 while English narrated version went online<sup>68</sup> in May, 2020. Additionally, (1) PLEAD Verdict Newsletter Issue 3, was published in May 2020. The project also completed a questionnaire/SGBV report to the Office of the High Commissioner on Human Rights (OHCHR) as the Multi-agency convener, towards reporting for the Human Rights Council on the increase in gender-based violence and domestic violence during COVID-19 pandemic. The EU-CSOs/COVID-19 Interventions

<sup>67</sup> [https://www.youtube.com/watch?v=QG-S\\_1ks67U](https://www.youtube.com/watch?v=QG-S_1ks67U)

<sup>68</sup> <https://www.youtube.com/watch?v=xIMkSI4LaXA>

Brochure was finalized and sent to the EU. Amkeni Wakenya microsite was fully operationalized and one PLEAD Brochure developed and uploaded in the Amkeni Wakenya website in the first quarter of 2020. Subsequently in the second quarter, the project generated a summary of the PLEAD partners COVID-19 related interventions. The project also supported the generation of 2019 annual results fact sheet which was shared with the two Development Partners and the Socio-economic mapping tool containing Amkeni interventions to the Country Office-regarding COVID 19 response to the framework.

**Project Outcome 5: Effectiveness of Amkeni Wakenya to provide support to civil society organizations in the Democratic Governance in Kenya enhanced**  
*(PLEAD Result Area 4: Programme management capacity of Amkeni strengthened)*

Summary achievement against 2020 Annual Work Plan (AWP) target

| Annual Output Target (2019)   | Indicator  | Summary achievement during the quarter  | Status:            |
|---|--|---|--------------------|
| <b>Output 5.1:</b> Adequate and professional human resources recruited and managed.<br><i>PLEAD Output 4.1: Adequate and professional human resources recruited and managed</i> | <b>PLEAD Indicator 4.1.1:</b> Performance rating of PMU<br><b>Baseline:</b> Good<br><b>Target:</b> Very Good             | Recruitment of project diver for Mombasa and Kisumu ongoing.<br>Recruitment of the 3 senior project officers finalized.<br>Performance rating for project staff fully satisfactory (range from exceeded to fully-met expectations). | Partially achieved |
| <b>Output 5.2:</b> Internal capacity of staff and governance structures of Amkeni enhanced  | <b>Indicator 5.2.1:</b> Quality of governance structures in place<br><b>Baseline:</b> Good<br><b>Target:</b> Very Good   | 12 monthly Amkeni staff meetings held with participation of UNDP senior managers<br>Weekly grants management meetings held with PMU<br>4 Project Approval Steering Committee meetings held.<br>3 DP meetings held.                  | Fully Achieved     |
|   | <b>Indicator 5.2.2:</b> Capacity of staff<br><b>Baseline:</b><br><b>Target:</b> High caliber staff                       | Amkeni staff trained on Anti-Fraud e-learning: Fraud and Corruption Awareness and Prevention and Greening the Blue.<br>M&E Specialist trained on Introduction to Evaluation in UNDP and UNDP Evaluation Certified Course.           | Partially achieved |
| <b>Output 5.3:</b> Internal governance processes of Amkeni supported  | <b>Indicator 5.3.1:</b> Number of SRG and DP meetings held in accordance to the programme policies<br><b>Baseline:</b> 4 | 4 Project Approval Steering Committee meetings held.<br>3 DP meetings held.   | Fully achieved.    |

<sup>69</sup> Timely reporting, unqualified audit, delivery rates, staff retention



| Annual Output (2019)   | Target | Indicator   | Summary achievement during the quarter   | Status:            |
|--|--------|---|--|--------------------|
|  |        | <b>Target:</b> At least one meeting per quarter   |  |                    |
| <b>Output 5.4:</b> Internal business processes of Amkeni continuously enhanced.            |        | <b>Indicator 5.4.1</b> Rating of Amkeni business processes<br><b>Baseline:</b> Good<br><b>Target:</b> Very Good                 | Drafting of standard operating procedures (SoPs) for grants management initiated.  | Fully achieved.    |
| <b>Output 5.5:</b> Adequate resources for Amkeni's work generated in a sustainable manner. |        | <b>Indicator 5.5.1:</b> Ratio of received funds against the Annual Work Plan budget<br><b>Baseline:</b> 0.6<br><b>Target:</b> 1 | Negotiations ongoing with the Embassy of Netherlands to support Amkeni Wakenya from 2022-2023<br><br>Amkeni participated in small Grants fair organized by DPs | Partially achieved |
| <b>Overall Status</b>  |        |   | -  | Ongoing            |

#### **Narrative:**

The ability of the Facility to provide efficient, effective and coordinated support to CSO is premised on a functional project management unit (PMU), decentralized field offices, effective project oversight structures and robust resource mobilization. These efforts were pursued as follows during the reporting period.

#### **Output 5.1: (PLEAD Output 4.1) Adequate and professional human resources recruited and managed.**

During the reporting period, Amkeni Wakenya finalized the recruitment of the capacity building officer. The officer is responsible for developing a capacity building plan, overseeing its implementation as well as providing support to key PMU functions. Amkeni also recruited a communications and knowledge management intern who supports the PMU and grantees on communications and knowledge management. Recruitment for the Wajir field office driver was finalized and the holder appointed in February 2020. Likewise, recruitment for the Kisumu office commenced in 2020 and is set for completion in early 2021. The position of project officers responsible for running field offices were converted from UNV to Senior Project Associates under UNDP service contracts. Through competitive processes, officers for the three field offices were engaged in the final quarter of 2020. With better terms, it is anticipated that the officers will be motivated to deliver more for the project.

#### **Output 5.2: Internal capacity of staff and governance structures of Amkeni enhanced**

During the period under review, 12 monthly Amkeni staff meetings were held with participation of UNDP senior managers. Amkeni Wakenya staff took the mandatory UNDP training on fraud and corruption awareness and prevention and on sustainable blue economy (greening the blue). The Monitoring and Evaluation Specialist for Amkeni Wakenya took the mandatory courses on Introduction to Evaluation in UNDP and UNDP Evaluation Certified Course. This immensely enhanced capacity of the project staff.

#### **Output 5.3: Internal governance processes of Amkeni supported**

During the reporting period, one Project Steering Committee, 4 Project Approval Steering Committee meetings and 2 Development Partners (DP) meetings were held. During these meetings, UNDP apprised

PSC members and DPs on project progress and obtained approval for issuance of grants. The meetings provided DPs with an important oversight role in the project.

**Output 5.4: Internal business processes of Amkeni continuously enhanced.**

In 2020, Amkeni commenced the process of reviewing and documenting standard operating procedures (SoPs) for grants management. The SoPs are meant to augment and elaborate on the existing guidance on grants management, which unfortunately do not cover all aspects of the process.

**Output 5.5: Adequate resources for Amkeni’s work generated in a sustainable manner.**

Amkeni Wakenya is in constant engagement with the Embassy of Netherlands with the aim of securing support towards a civic space promotion project. Amkeni Wakenya has already submitted a proposal to the Embassy of Netherlands awaiting approval expected in 2021. Amkeni PMU participated in a fair organized by development partners supporting democratic governance portfolios in Kenya in the month of February. The fair gave Amkeni the opportunity to showcase and position its work strategically. Hopefully, this shall increase donor interest in our work.

### 3. Cross-cutting issues

#### 3.1 Gender Development Results

| Gender results  | Evidence                     |
|---|------------------------------|
| In coastal region, demand for accountability from the government by SGBV survivors mostly women was enhanced. This was through Amkeni’s support to strengthening of Gender Based Violence Technical Working Groups and Court User Committees. These structures enabled community members in Lamu county to interact with duty bearers and discuss some of the negative social norms and practices that undermine the rights and safety of girls and women.  | Implementing Partners Report |
| Participation of women and girls in different spaces was expanded through commemoration of international days such as International Women’s Day and 16 Days of Activist against GBV across the coastal counties. These resulted in (a) greater understanding of court processes and procedures by communities; (b) increased interest in promoting access to justice; (c) increased confidence of community members and deconstruction of perceived judicial barriers. This has helped communities to gain confidence and break the bureaucratic structures that are perceived as barriers to access to justice, especially for women.  | Implementing Partners Report |
| Male engagement as a strategy of promoting gender equality and empowerment of women and girls has helped address issues affecting women that traditionally have been left unresolved. In Tana River, the involvement of cultural leaders, community gate keepers, councils of elders and men in general has helped deliver proactive justice services to the communities. Negative social norms and attitudes towards Gender Equality and Women Empowerment that are deeply entrenched in culture are beginning to be addressed meaning women status in society is now changing. This has ultimately improved the dignity of women, enhanced their decision-making process, reduce sexual exploitation and abuse, as well as enhanced their access to justice | Implementing Partners Report |
| In Nairobi and the contiguous regions, UNDP saw a notable improvement in access to timely legal aid services and legal information for vulnerable urban women and girls in the informal settlements. This was achieved through partnerships and use of community structures. During   | Implementing Partners Report |

|  |                              |
|--|------------------------------|
| the year, CREAM partnered with 3 universities, training 22 law students who actively provided legal aid services. Awareness raising on SGBV was also enhanced by working with women led accountability groups and community champions. Through these initiatives, and in addition to the launch of a toll-free line and a tele-counselling services 3,477 people (M- 981, F- 2,496) benefitted from pro-bono legal services including pro bono legal assistance, advice and representation in Court on various forms of VAWG.  |                              |
| People with disabilities were also involved in access to justice interventions. FEDWEN, a Persons with Disabilities (PWD)-centred implementing partner implemented an SRH project which sparked interest in the county education officers and healthcare workers targeted who signed up for a basic sign language course. This was to enhance their communication with members of the deaf community seeking SRH services and information. The project also trained 1600 girls who are now more empowered and this has seen an increase in the number of deaf girls seeking SRH services from hospitals within the target counties. Hospital workers, the police and education officers also have greater capacity to support members from the deaf community as a result of the training they received. | Implementing Partners Report |
| The provision of evidence-based data/ findings also provided a platform for advocating for better service delivery by duty bearers in the health sector. This included a study carried out by CRAWN Trust which documented findings on the status of Maternal, Neonatal and Child Health in Nairobi County.  | Implementing Partners Report |

Under these interventions, Amkeni grantees' monitoring capacities in SGBV occurrences were enhanced. The impact will be evident in the first quarter of 2021 when human rights violations cases are presented in the justice system for remedial measures.

### 3.2 Targeting, sustainability of results, strengthening national capacities and South-South and Triangular Cooperation

#### Strengthening national capacity

| Results achieved  | Institution  | National capacity strengthened   |
|---|--|--|
| <b>Output 3.2:</b> Capacity of PBO Authority to discharge its mandate to PBO sector enhanced. | NGO Coordination board                                     | Strategic management capacity of the NGO Board was enhanced through provision of technical support to develop the 2020-2022 NGO Board strategic plan.<br><br>Capacity of NGO Board staff in public policy analysis was enhanced through Public Policy Analysis workshops |
| <b>Output 3.3:</b> CSO self-regulation mechanisms established and supported                   | CSOs in Mombasa, Garissa, Nyeri, Nandi and Kisumu Counties | Capacity on CSO management within the PBO Act framework and engagement of duty bearers and other stakeholders at county level over policy issues was enhanced through workshops conducted the Civil Society  |

|   |                                    |  |
|---|------------------------------------|--|
|   |                                    | Reference Group with technical support from Amkeni Wakenya.  |
| <b>AWP Output 3.4:</b> Critical capacities for organizational development, impact and sustainability among CSOs enhanced  | CSOs in Kenya<br><br>UNDP Grantees | Capacity of CSOs on digital rights advancement and protection was enhanced through trainings on digital skills and digital media literacy conducted by CRECO with support from Amkeni Wakenya. |
| <b>PLEAD- Specific Output 3.1:</b> Critical capacities for organizational development, impact and sustainability among non-state legal aid providers were enhanced. |                                    | Capacity of grantees on project and financial management was enhanced through learning platforms facilitated by Amkeni Wakenya PMU.  |

### 3.3. South to South and Triangular Cooperation

There were no South to South Triangular Cooperation activities during this period.

### 3.4 Partnerships.

During the reporting period Amkeni Wakenya strengthened its partnership with Council for Legal Education (CLE) which seeks to ensure deliberate involvement of legal aid service providers (CSOs) in the development of policy and administrative frameworks for regulating the provision of legal education in Kenya. Amkeni Wakenya continued to work closely with National Legal Aid Service (NLAS) in the referral of legal aid cases from grantees and rolling out of a framework for accreditation of paralegal. Amkeni and its grantees also partnered with the National Council for Administration of Justice (NCAJ) and the Court Users Committees (CUCs) at the court station levels to ensure effective involvement of civil society organizations in the coordination and capacity building of access to justice actors. In the reporting period, Amkeni Wakenya initiated discussions with the National Environmental Complaints Committee (NECC) with aim of forging partnership in area of environmental rights and governance. Amkeni's continued to support the NGO Board towards realization of its mandate of regulating NGOs (including Amkeni partners) and operationalization of the PO Act of 2013, during the reporting period. UNDP strongly believes that the PBO Act will provide an enabling legal environment for PBOs to contribute to the timely achievement of Kenya's vision 2030 and the Sustainable Development Goals (SDGs).

### 3.5 Monitoring and Evaluation

M&E activities conducted during the reporting period:

| M&E activity (monitoring visit, evaluation, review exercise) | Key outcomes/ observation   | Recommendation   | Action taken   |
|--|---|--|--|
| Joint monitoring mission with Development Partners to        | Joint programming between Amkeni Wakenya Partners was not satisfactory where the mission team noted that HURIA, HAKI Africa and | The mission team recommended that HURIA, HAKI Africa and Kituo Sheria should develop a road map on | Amkeni Wakenya working through the Coast CSO Network is following up on this recommendation. |

| M&E activity (monitoring visit, evaluation, review exercise)                          | Key outcomes/ observation  | Recommendation   | Action taken  |
|---|--|--|---|
| Mombasa and Kilifi Counties.  | Kituo cha Sheria seemed to operate in Silos.   | strengthening partnerships between the CSOs  |   |
|   | Shimo la Tewa women paralegal prison facility lacking capacity especially in record keeping, data analysis, reporting and weak capacity on the drafting of court processes and procedures compared to the men's paralegal prison facility. | Strengthening the capacity of paralegals should be continuous.   | Kituo to work continuously with the Women facility and strengthen record keeping.   |
|   | Curriculum for training the inspectors not yet institutionalized.  | Develop guidelines/road map for institutionalizing the curriculum for inspectors training by working closely with the Council of Governors through close partnerships with UNDP support to Integrated Devolution Project | Amkeni working with UNDP devolution project to realize this recommendation.   |
| A total of 5 Quarterly Monitoring visit across the target regions has been conducted. | Delayed reporting on the online system by the IPs, capacity gaps on financial prudence.  | -Refresher on refurbished M&E online tool and financial reporting  | Mission teams conducted refresher training on the refurbished M&E online tool for timely reporting and on-site financial reporting. |
| Monitoring visit to Woman Kind Kenya.   | Gaps in the documentation of the lessons learnt.   | Capacity building on documentation of best practices.  | Face to face training on the documentation of best practices by the Project Officer.  |

### 3.6: Knowledge management

The following knowledge products were completed/published during the reporting period:

| Title, author, date                                       | Link  | Evidence (why they were useful?)   |
|---|---|--|
| Digital Audit of the Sector Report by CRECO Kenya in 2020 | <a href="https://drive.google.com/file/d/1tmHiK4RIW18qAvL23fR1jpHzX3l_q2A_/view?usp=sharing">https://drive.google.com/file/d/1tmHiK4RIW18qAvL23fR1jpHzX3l_q2A_/view?usp=sharing</a> | The report brought out the context in which CSOs operate including the legal/regulatory environment; and recognized that the digital age plays a major part in shaping this space. It ascertained that threats to civic space in general, and the government crackdown on internet freedoms specifically, affects the work the sector conducts as many organizations |

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and individual human rights defenders are afraid of reprisals.

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|   |   |  |
|---|---|--|
| Pata Haki mobile application developed by KASH  | <a href="#">Download Pata Haki</a><br><a href="#">Pata Haki - Apps on Google Play</a>   | The application offers legal empowerment, legal advice and aid as well as a directory/pathway to legal/justice and health support. The app also offers the following direct free services: Toll-free hotline, free emergency SMS, clinical advice, and a downloadable P3 form.   |
| Survey of the state of legal aid in Nairobi County by Legal Resources Foundation                                    | <a href="https://drive.google.com/file/d/13oqXBzMgkXHFx3jrIHg1bNo8XJidJgk4/view?usp=sharing">https://drive.google.com/file/d/13oqXBzMgkXHFx3jrIHg1bNo8XJidJgk4/view?usp=sharing</a>               | The survey has led to increased appreciation of evidence-based interventions in provision of legal services and allocation of resources. The final report is expected to contribute to a more balanced approach to resource allocation to legal aid by government and development partners   |
| 2018/19 Annual NGO Sector Report launched and publicized by the NGO Coordination Board.                             | <a href="https://ngobureau.go.ke/wp-content/uploads/2020/02/ANNUAL-NGO-SECTOR-REPORT-2018-2019.pdf">https://ngobureau.go.ke/wp-content/uploads/2020/02/ANNUAL-NGO-SECTOR-REPORT-2018-2019.pdf</a> | It reports on NGOs activities to quantify the important role played by NGOs in national development and identify opportunities for improved enabling environment of the sector and the CSOs role in national development within Kenya.   |
| Rapid assessment on citizens' participation structures and access to legal aid in Garissa County by WomanKind Kenya | <a href="https://drive.google.com/file/d/1AQJeOogDCIc_pAAGRntxGNpC2yFUvl7o/view?usp=sharing">https://drive.google.com/file/d/1AQJeOogDCIc_pAAGRntxGNpC2yFUvl7o/view?usp=sharing</a>               | Identified some gaps that exist within the judicial mechanisms in Garissa; gaps hindering meaningful access to legal aid of the citizens in these structures. The findings guided the project team on the issues to be addressed in the preceding activities including training of paralegals. Conducting legal aid clinics in Garissa with 500 community members being informed and having access to legal aid information and Alternative Dispute Resolution mechanisms. |
| Sector review report of the current Primary Health Care Policy by CSD Kisumu  | <a href="https://drive.google.com/file/d/1KZVdqinfcGYmCO3cpiyhV8ZfJwga8wjw/view?usp=sharing">https://drive.google.com/file/d/1KZVdqinfcGYmCO3cpiyhV8ZfJwga8wjw/view?usp=sharing</a>               | Findings were used to develop a training manual for Ultra Health Care Champions in Kisumu County.  |
| 2019 annual report fact sheet   | <a href="https://drive.google.com/file/d/1SyOXxoqrETgZqQaz8dsir1GDbfB8qEOi/view?usp=sharing">https://drive.google.com/file/d/1SyOXxoqrETgZqQaz8dsir1GDbfB8qEOi/view?usp=sharing</a>               | Enhanced visibility of the project   |

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|  |   |  |
|--|---|--|
| CSO profiles developed   | <a href="https://drive.google.com/file/d/1YPF B3eFBxHzNy6aKpVnZOBMmq3LvNZb/view?usp=sharing">https://drive.google.com/file/d/1YPF B3eFBxHzNy6aKpVnZOBMmq3LvNZb/view?usp=sharing</a>   | Enhanced visibility of the project   |
| Amkeni Wakenya Newsletter  | <a href="https://www.ke.undp.org/content/kenya/en/home/library/democratic_governance/amkeni-wakenya-pled-newsletter--4-q2-2020.html">https://www.ke.undp.org/content/kenya/en/home/library/democratic_governance/amkeni-wakenya-pled-newsletter--4-q2-2020.html</a> | Enhanced visibility of the project   |
| Baseline Survey on Health Rights and advocacy for women and girls by CRAWN Trust                                   | <a href="https://drive.google.com/drive/folders/1jrmh8Ng7MYrCl76LPUxtlz4Sye3dHR-B?usp=sharing">https://drive.google.com/drive/folders/1jrmh8Ng7MYrCl76LPUxtlz4Sye3dHR-B?usp=sharing</a>   | Documented findings on the status of maternal, neonatal and child health in Nairobi County.  |
| Research study on analysing government responses to Covid-19 by TI Kenya   | <a href="https://drive.google.com/file/d/11AEoObeTEpiGolpvIWVLEvqvlnNRDBGs/view?usp=sharing">https://drive.google.com/file/d/11AEoObeTEpiGolpvIWVLEvqvlnNRDBGs/view?usp=sharing</a>   | The study documented transparency and accountability issues in government response to the Covid-19 pandemic.   |
| Joint monitoring survey on the status on human rights during covid-19 response in kenya by CRECO Kenya.            | <a href="https://drive.google.com/file/d/1M-bglT5ngirpVP4w7TO3UoYfluYoPgOm/view">https://drive.google.com/file/d/1M-bglT5ngirpVP4w7TO3UoYfluYoPgOm/view</a>   | Addressing human rights violations during the Covid-19 pandemic.   |
| SRH short film as a communication tool that highlights the challenges the Deaf undergo when accessing SRH services | <a href="https://drive.google.com/file/d/1aX5AodM7Cfty9G7eZbouQxn7lwxp6vFP/view?usp=sharing">https://drive.google.com/file/d/1aX5AodM7Cfty9G7eZbouQxn7lwxp6vFP/view?usp=sharing</a>   | The short film on the challenges deaf have in accessing SRH services has garnered interest on deaf girls' youths wanting to venture into acting/entertainment sector and tell their story.                                       |
| Basic instructional video and SRH signs by FEDWEN  | <a href="https://drive.google.com/file/d/1qx0EK_O_vo4i53AeLWOOXUAvLpyo373JN/view?usp=sharing">https://drive.google.com/file/d/1qx0EK_O_vo4i53AeLWOOXUAvLpyo373JN/view?usp=sharing</a>   | The video on sexual reproductive health signs has helped the healthcare workers and police to understand basic sign language and serve the deaf youths when accessing SRH services or in cases of sexual and gender abuse cases. |
| Documentary on the plight facing minority groups in Wajir County   | <br>Documentary- Plight of Minorities in Wajir County.mp4 (Command Line)   | The documentary brought about the challenges faced by minorities residing in Wajir county in regards to access to services and opportunities.  |

#### 4. Challenges/ Issues

The following challenges affected realization of results during the reporting period:

##### Project implementation affected by the impacts of Covid-19

The project being designed to achieve its results through grant-making to civil society organizations involved in promotion of human rights and access to justice, the CSO grantees implement a significant proportion of their project activities through public interactions (town hall meetings, conferences, open-air legal aid clinics etc). Due to restrictions on public meetings (public health social distancing guidelines) and imposition of quarantine measures to contain Covid-19, the CSO grantees faced a challenge to implement their planned project activities. For this reason, 45-100% of budgeted activities of grantees were adversely affected by COVID-related restrictions. This slowed down implementation as some activities were rescheduled or cancelled during covid-19 times, the cost of some activities increased due to special arrangements made to achieve them without putting project staff at risk of contracting the virus and high level of uncertainties that led to the need for flexible review of plans which increased requests for no extensions and contingency funds by CSOs due to unexpected realities.

To increase delivery, notwithstanding the aforesaid restrictions, UNDP advised CSO partners to realign resources under the adversely affected budget lines, to request for extensions timelines, prioritize activities that can done within the Covid-19 restrictions and more use of digital means during project implementation. This allowed the grantees to implement activities that align to the current situation and leverage on technology to overcome restrictions on public interactions.

### **Insecurity in the project areas**

Numerous logistical challenges due to security operations ongoing in the project areas and violent inter-ethnic conflicts caused delays in implementation. This challenge was mitigated through integration of peace messaging in project activities, advising staff and paralegals to refrain from conflict-affected areas, and capacity development on security management as well as rescheduling activities past the planned time.

## **5. Lessons Learnt and Way Forward**

- **The adoption of virtual engagement platforms ensured a larger reach of the beneficiaries during the COVID-19 period.** These platforms included the use of webinars, social media, and community radio stations. This approach ensured that the community members received messages on COVID-19 prevention, GBV preventions, and referral pathways for the survivors during the restriction of movement period within Nairobi.
- **The use of innovative approaches** such as appreciative methodologies in training council of elders on ADR mechanism helped in resolving a variety of disputes since most of the issues raised were civil, and there is also a need to convert the already existing community peace structures into ADR because of their solid reputation and respectable standing in the communities.
- **Taking the CUC to the grass root areas for civic engagement** was more effective than supporting quarterly CUC meetings. This innovative approach enabled the community to engage directly with duty bearers and receive one on one feedback on their issues. It also created an opportunity for duty bearers to demystify the formal justice system and build public confidence in the same. The approach also enabled CUC members appreciate challenges faced by community members in accessing justice.
- **The technology and innovation platforms** played a key role in the implementation of activities despite the emergence of a global pandemic, innovating new ways of engaging stakeholders, for instance virtually through technology, enabled the organizations to maintain the project's momentum in terms of implementation.



## 6. Risks and Mitigation Measures

| Risks   | Mitigation Measures   |
|---|---|
| <p><b>Regulatory</b></p> <p>PBO Act 2013 not yet operationalized. This could compromise enabling environment of the CSOs.</p> | <p>Transition studies from the NGO coordination Board to the PBO Board finalized. New strategic plan for the NGO Board developed.</p> |
| <p><b>Security</b></p> <p>Insecurity in Tana-River, Mandera and Marsabit Counties.</p>  | <p>Close monitoring by the project team and working with the UNDSS team especially on travel advisories.</p>                          |
| <p><b>Strategic</b></p> <p>Shrinking democratic governance and access to justice donors.</p>                                  | <p>Negotiations have been initiated with Norway. Additionally, there is ongoing negotiations with EKN for support beyond 2020.</p>    |

## ANNEX1 – interim Progress financial Report

### ANNEX 1

#### Interim Progress Financial Report

Project Title: Amkeni Wakenya-II (Civil Society Democratic Governance Facility)

Reporting Period: January 1, 2020 to December 31, 2020

Project Number: 00093740

TO: Embassy of the Kingdom of the Netherlands, European Union and UNDP

Reporting Currency: United States Dollars



| CONTRIBUTIONS  | Netherlands    | European Union   | UNDP           | Total            |
|--|----------------|------------------|----------------|------------------|
| Carried Forward from 2019  | 509,505        | 1,279,533        | -              | 1,789,038        |
| Contribution made in 2020  | -              | 2,017,452        | 281,077        | 2,298,529        |
| Transfer to/from other Funds-2020  |                |                  |                | -                |
| Refund to Donors   |                |                  |                | -                |
| Other Revenue  |                |                  |                | -                |
| <b>Total Contributions (Funds Received)</b>  | <b>509,505</b> | <b>3,296,985</b> | <b>281,077</b> | <b>4,087,566</b> |
| EXPENDITURE  |                |                  |                |                  |
| DIRECT PROGRAMME COSTS   |                |                  |                |                  |
| OUTCOME1 (Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans)                             | 157,102        | 1,594,995        | 255,725        | 2,007,822        |
| OUTCOME2 (Devolution)  | -              | -                | -              | -                |
| OUTCOME3 (organizational performance, sustainability and enabling environment for CSOs)  | 207,726        | 35,758           | 4,869          | 248,353          |
| OUTCOME4 Effectiveness of CSOs response to Contemporary emerging issues enhanced)  | 45,052         | 77,029           | 7,728          | 129,808          |
| OUTCOME5 ( Effectiveness of Amkeni Wakenya to provide support to civil society organizations in the Democratic Governance in Kenya enhanced) | 25,949         | 451,413          | 12,755         | 490,117          |
| <b>Total Direct Programme costs</b>  | <b>435,829</b> | <b>2,159,194</b> | <b>281,077</b> | <b>2,876,100</b> |
| INDIRECT PROGRAMME COSTS   |                |                  |                |                  |
| GMS  | 34,944         | 151,017          | -              | 185,961          |
| <b>Total Indirect Programme costs</b>  | <b>34,944</b>  | <b>151,017</b>   | <b>-</b>       | <b>185,961</b>   |
| <b>TOTAL EXPENDITURE (Direct + Indirect Programme Costs)</b>   | <b>470,773</b> | <b>2,310,211</b> | <b>281,077</b> | <b>3,062,061</b> |
| LEGAL COMMITMENTS  |                |                  |                |                  |
| Legal Commitments  | -              | 115,823          | -              | 115,823          |
| <b>Total Legal Commitments</b>   | <b>-</b>       | <b>115,823</b>   | <b>-</b>       | <b>115,823</b>   |
| ASSETS   |                |                  |                |                  |
| Undepreciated Assets   | 18,328         | 126,933          | -              | 145,261          |
| <b>Total Assets</b>  | <b>18,328</b>  | <b>126,933</b>   | <b>-</b>       | <b>145,261</b>   |
| <b>Total Expenditure, Legal Commitments &amp; Undepreciated Asset</b>  | <b>489,101</b> | <b>2,552,967</b> | <b>281,077</b> | <b>3,323,145</b> |
| <b>NET BALANCES AS AT 31 December 2020</b>   | <b>20,404</b>  | <b>744,017</b>   | <b>-</b>       | <b>764,421</b>   |

**Notes:**

1. Funds received converted to USD at prevailing exchange rate on date of transfer.

2. Contribution amounts are inclusive of General Management Support Costs (GMS)

3. Disclaimer: All financial information provided for 2020 is an extract of UNDP financial records and is provisional until a Certified Financial Statement has been issued by the UNDP Comptroller's Office. The certified Financial Statements for 2019 will be available on 1<sup>st</sup> July 2021

## ANNEX2 – 3<sup>rd</sup> EU Progress Financial Report

### 3rd Progress Financial Report

Project Title: Amkeni Wakenya-II (Civil Society Democratic Governance Facility)

Start of the Implementation Period: 19 December 2017

Reporting Period: January 1, 2020 to December 31, 2020

Project Number: 00093740

DELEGATION AGREEMENT No.: FED/2017/397-491

TO: EUROPEAN UNION

Reporting Currency: United States Dollars

| BUDGET OF THE ACTION   |  | FINANCIAL REPORT (in USD) covering the period from 19/12/2017 to 31/12/2020 |                  |                                    |   | FORECAST BUDGET 2021 |                  |
|--|--|---|------------------|------------------------------------|---|----------------------|------------------|
| PLANNED ACTIVITIES   | Budget Description                             |   | ACTUAL           | Legal commitments with Third Party | Total (actual expenses & legal commitments) | Budget Balance       |                  |
|  | Budget Description                             | Total Cost of the Action  |                  |                                    |   |                      |                  |
| 11.1 Provide grants to NSAs (CSDs, Law Society of Kenya, University Law Schools and paralegals organisations) to provide legal aid and awareness in 12 counties as follows:<br>(a) Grants to 5 pilot urban counties (2 grants per county @ USD 100,000 per year for 3 years)= USD 3,000,000<br>(b) Grants to 7 marginalised counties (2 grants per county @USD 50,000 per year for 3 years)= USD 2,100,000 | Grants   | 5,100,000   | 2,782,104        | -                                  | 2,782,104                                   | 2,317,896            | 1,700,000        |
| <b>Total Outcome 1</b>   |  | <b>5,100,000</b>  | <b>2,782,104</b> | <b>-</b>                           | <b>2,782,104</b>                            | <b>2,317,896</b>     | <b>1,700,000</b> |
| 12.1 Provide grant to national level CSD engaged in policy advocacy on Legal Aid Act (1 grant for USD100,000 to 1CSD in 2017/8)  | Grants and Meeting costs                       | 100,000   | 56,339           | -                                  | 56,339                                      | 43,661               | 40,000           |
| 12.2 Facilitate CSD engagement with NALEAP and Dept of Justice and (later) NLAS (1 meetings per year @ USD 10,000 per meeting for 5 years)   | Workshop costs<br>Meetings                     | 50,000  | 39,608           | -                                  | 39,608                                      | 10,392               | 40,000           |
| 12.3 Provide short-term grants to NSAs to conduct advocacy (15 grants @USD 30,000)   | Grants   | 450,000   | 81,848           | -                                  | 81,848                                      | 368,152              | 180,000          |
| 12.4 Support 1 paralegal network (such as PASUNE)  | Technical, Staff time, workshops               | 200,000   | 67,695           | -                                  | 67,695                                      | 132,305              | 40,000           |
| <b>Total Outcome 2</b>   |  | <b>800,000</b>  | <b>245,491</b>   | <b>-</b>                           | <b>245,491</b>                              | <b>554,509</b>       | <b>300,000</b>   |
| 3.11 Conduct capacity development (on technical skills, organizational management and sustainability issues)   | Consultancy,<br>Workshop and travel costs      | 200,000   | 235,972          | -                                  | 235,972                                     | (35,972)             | 98,000           |
| 3.21 Undertake research on topical access to justice (legal aid) issues  | Consultancy, printing and dissemination        | 100,000   | 25,528           | -                                  | 25,528                                      | 74,472               | 65,000           |
| 3.22 Organize half-yearly learning platforms for NSAs, NALEAP/DoJ, paralegals, and development partners. (2 meetings per year for 5 years @ USD 5,000 per meeting)   | Workshop costs                                 | 50,000  | -                | -                                  | -   | 50,000               | 25,000           |
| 3.23 Produce and disseminate publications (half-yearly newsletter and one peer-reviewed book) to disseminate best practices and lessons  | Consultancy, printing, and dissemination costs | 30,000  | 2,280            | -                                  | 2,280                                       | 27,720               | 12,500           |
| 3.31 Monitoring and Evaluation system strengthened (including field visits, review and planning meetings)  | Staff time,<br>Workshop costs                  | 200,000   | 138,981          | -                                  | 138,981                                     | 61,019               | 59,000           |
| 3.35 Three Regional offices supported  | Motor vehicle                                  | 950,000   | 373,756          | -                                  | 373,756                                     | 576,244              | 229,704          |
| 3.41 Visibility and Communication Strategy and IEC materials developed and disseminated  |  | 224,854   | 34,815           | 115,660                            | 150,475                                     | 74,379               | 218,500          |
| 3.42 Media Advocacy  |  | 107,500   | 6,145            | -                                  | 6,145                                       | 101,355              | 21,500           |
| <b>Total Outcome 3</b>   |  | <b>1,862,354</b>  | <b>817,477</b>   | <b>115,660</b>                     | <b>933,137</b>                              | <b>929,218</b>       | <b>729,204</b>   |
| 4.1.1 Performance management   | Salaries<br>Meetings/trainings                 | 1,841,000   | 1,182,968        | -                                  | 1,182,968                                   | 658,032              | 473,000          |
| 4.1.3 Holding SRG and DP meetings  |  | 49,911  | 19,574           | -                                  | 19,574                                      | 30,337               | 10,000           |
| 4.1.4 Office running- Stationery, vehicle running, internet, rent and utilities etc.   |  | 150,000   | (74,288)         | 163                                | (74,125)                                    | 224,125              | 30,000           |
| <b>Total Outcome 4</b>   |  | <b>2,040,911</b>  | <b>1,128,255</b> | <b>163</b>                         | <b>1,128,418</b>                            | <b>912,493</b>       | <b>513,000</b>   |
| <b>Total Direct Costs</b>  |  | <b>9,803,265</b>  | <b>4,973,326</b> | <b>115,823</b>                     | <b>5,089,149</b>                            | <b>4,714,116</b>     | <b>3,242,204</b> |
| <b>Indirect Costs (GMS at 7%)</b>  |  | <b>651,229</b>  | <b>348,174</b>   | <b>-</b>                           | <b>348,174</b>                              | <b>303,055</b>       | <b>226,954</b>   |
| <b>Total Eligible costs of the Action</b>  |  | <b>10,454,494</b>   | <b>5,321,500</b> | <b>115,823</b>                     | <b>5,437,324</b>                            | <b>5,017,171</b>     | <b>3,469,158</b> |